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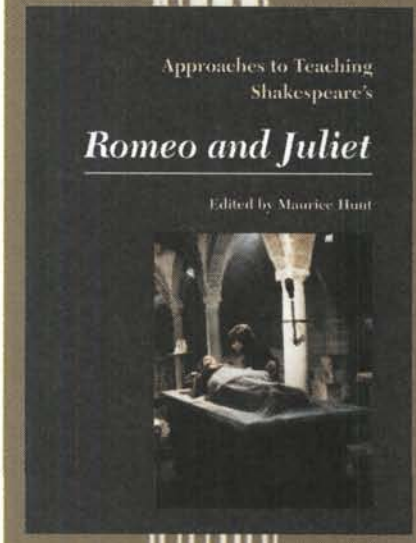

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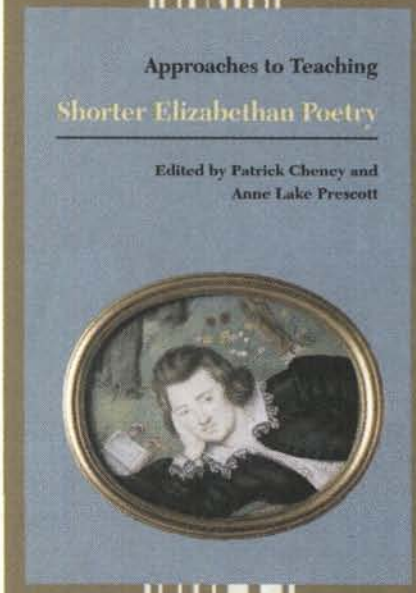

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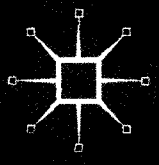

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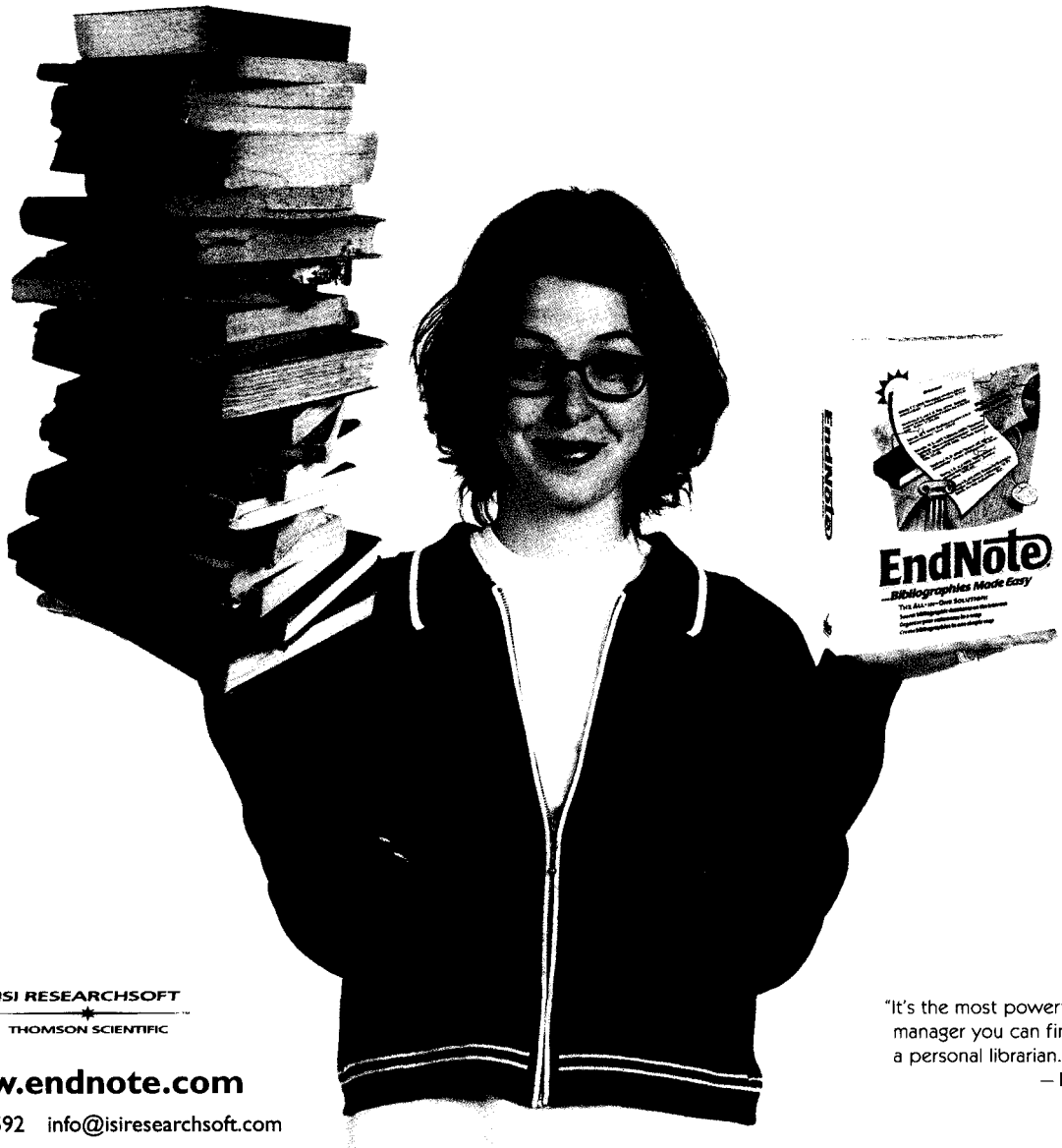

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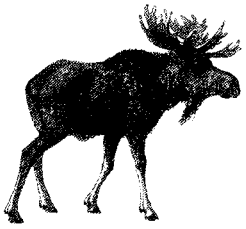

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A mixed language or jargon used in the Levant, consisting largely of Italian words deprived of their inflexions. Also transf. *Any mixed jargon formed as a medium of intercourse between people speaking different languages.* Fig. *1954* JARRELL, Pictures from an institution. *P. 13. "It is true that his* d *and* t *and* z *were changing, but not in the direction of any already existing sound: his speech was a pilgrimage toward some* lingua franca *of the far future—'vot ve all speak ven de Shtate has videredt avay,' as he would have put it."*

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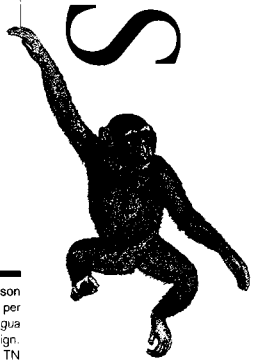

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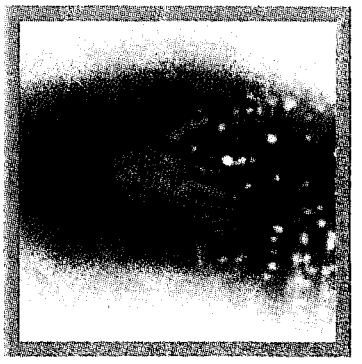

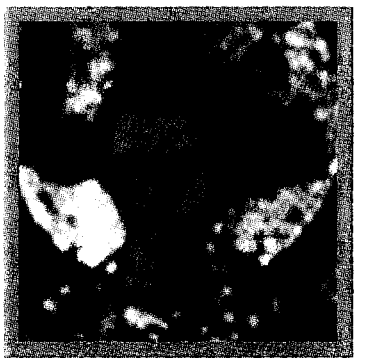

"The essays in this collection again prove that Julia Kristeva is one of the most profound and courageous thinkers of our time. From her intimate reading of Hannah Arendt to her diagnosis of Eastern Orthodoxy, Kristeva gives us a fresh perspective. In a noteworthy move in terms of her own work, in her essay on Arendt, Kristeva gives priority to active narrative over poetry. Her very personal reflections on the contemporary situation in the Balkans are stunning. Her diagnosis of the European Union and the role of religion in political economy fascinates with its provocations. And, her insightful comments on the meaning of legal equality for women complicates feminist debate over equality versus difference."

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LETTERS TO THE EDITOR

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SPLINTERED

Johanna Berkman's article "Shattered: A Young Academic Clashes With a Senior Colleague and Her World Falls to Pieces" [July/August] prompts me to write.

I feel compelled to reaffirm my certainty that the allegations brought by Professor Aline Baehler against persons and practices falling under the purview of my office were fully, responsibly, and appropriately investigated. The results of these investigations showed that the allegations, to the extent that they could be understood, either were groundless or provided no reason for subsequent actions.

E.F. INFANTE
Professor and Dean
Vanderbilt University

I was amazed to learn that there is still a respectable university where a respectable faculty member can be open about his bias against colleagues of certain national origins and where the defense of the charge that an assistant professor's career was derailed partly by rumors that she was a lesbian is that people "did not believe the rumors nor did they give them any credibility." I have always found political corrections in academia very tiresome and stultifying, but this article demonstrates that old-fashioned bigotry is even worse and is by no means dead in universities.

FELICIA ACKERMAN
Professor of Philosophy
Brown University

After reading "Shattered: A Young Academic Clashes With a Senior Colleague and Her World Falls to Pieces," it occurred to me that you may want to consider selling *Lingua Franca* at the supermarket stands. The article and its sensationalized title would fit well with kindred red-herring tales of alien-superstar matings, recollections of post-death experiences, and reports of Elvis sightings.

True to the scandal-sheet genre, Berkman's article leads readers down a path of intrigue and duplicity, only to tell them at the end that maybe the fuss was for nothing. Surely there are more useful ways to take up nine pages.

ROBERT G. VARADY
Deputy Director, Udall Center for Studies in Public Policy
Associate Research Professor
University of Arizona at Tucson

RANDOM ACTS OF KINDNESS

What is peculiar about James Schwartz's "Death of an Altruist" [July/August] is its failure to note the most unpredictable variable in both individual and group behavior: emotion. Nowhere is there even a mention of the role that desires, wishes, wants, and needs play in motivating us to make choices and achieve goals, altruistic or not.

If evolutionary biology (or any other science, for that matter) wishes to provide a grand theory of human behavior based on science and reason alone, it will fail. As George Price's own life illustrates, altruism and acts of kindness generated by feelings of love and compassion cannot be measured and accounted for in a grand genetic theory, because such a theory is incapable of rationally validating the beautiful asymmetry of the emotional behavior that lies at the center of all our lives.

RICHARD GRUPENHOFF
Rowan University
Glassboro, NJ

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J'ACCUSE SARTRE

THIS APRIL WAS THE TWENtieth anniversary of Jean-Paul Sartre's death, and the French marked the occasion with more than a dozen books and much conversation. But when the Groupe d'Études Sartriennes met in June to commemorate the founder of existentialism, the mood was strained, to say the least: The group's hero stood accused of benefiting from the World War II–era dismissal of a Jewish instructor.

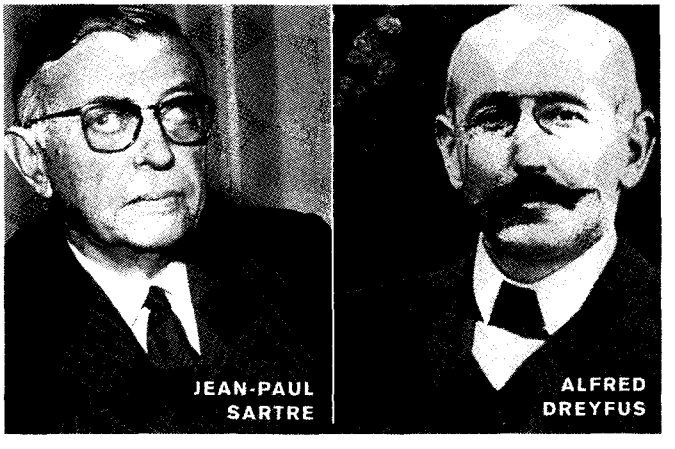
In an article published in the spring 2000 issue of *Commentaire,* Ingrid Galster, a Sartre specialist and professor at the Katholische Universität Eichstätt in Germany, raised the issue of Sartre's early academic employment. In 1941, after returning from a German prisoner-of-war camp, the future author of *Being and Nothingness* took over a teaching position at the prestigious Lycée Condorcet formerly held by a Jew, Henri Dreyfus-Le Foyer, who had been forced to resign during the occupation. Dreyfus-Le Foyer was not just any Jew, moreover, but the great-nephew of the famous Alfred Dreyfus, the army captain whose wrongful condemnation for selling secrets to the Germans tore France apart in the 1890s.

The Sartre-Dreyfus revelation had already surfaced in a 1997 editorial in *Le Nouvel Observateur,* but Galster's tough rhetoric and suspicious stance embroiled the tightly knit world of Sartre studies in a new *affaire.* Sartre, Galster contends, did nothing to protest the Jewish professor's departure and indeed took advantage of the relatively undemanding post left behind by Dreyfus-Le Foyer to write several of the works that would make his reputation. Though Galster's article avoids taxing the late philosopher with actual collaboration, it does accuse him of hypocrisy: After all, in a conference shortly after the war, Sartre cast blame on all Germans who failed to protest against the Nazi regime and singled out German academics who didn't leave the university when their Jewish colleagues were dismissed.

True, few Parisian intellectuals did much to protest the occupation. But given Sartre's radical and rather self-righteous stance regarding the *engagement* of not only professors but all individuals, shouldn't we hold him to a higher standard? "Sartre," Galster contends, "n'est pas tout le monde." Echoing criticism leveled by Vladimir Jankélévitch in 1985, Galster concludes that Sartre's postwar political activism, and particularly his pathbreaking 1946 attack on anti-Semitism, *Réflexions sur la question juive* (Anti-Semite and Jew), may have been motivated by an "unhealthy compensation" (*une compensation maladive*) for wartime guilt.

Unlike the French army during the *drôle de guerre,* the

Did Sartre profit from the World War II–era dismissal of a Jewish instructor?



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Parisian Sartre specialists have mounted a vigorous defense against this new German attack. In the summer issue of *Les Temps Modernes,* the journal founded by Sartre and Simone de Beauvoir, Sorbonne literature professor Jacques Lecarme points out that Dreyfus-Le Foyer's immediate successor was not Sartre, but Ferdinand Alquié, who held the post for several months before Sartre took over. (Galster notes that Alquié did not officially replace Dreyfus-Le Foyer but merely filled in for him before a permanent replacement was found; Sartre was this replacement.)

Lecarme goes on to specify that although the Lycée Condorcet was a prestigious Parisian institution (it prepared the French elite to compete for coveted places at the École Normale Supérieure), it cannot be compared with a university, where professors would be much more likely to know who held their chairs before they did. A "foreign researcher" such as Galster, Lecarme rather chauvinistically allows, might be excused for her ignorance of the French academic system but should nonetheless avoid "assimilations which cannot be sustained." Furthermore, according to Lecarme, Galster doesn't have her facts straight: Sartre taught nine hours of classes per week, in both philosophy and math, not the less-demanding six hours that Galster alleges helped launch his writing career.

As Lecarme sees it, Sartre's wartime actions should arouse admiration rather than shame. The author of several articles that can be classified as "résistants" in the clandestine *Lettres françaises,* Sartre nearly lost his teaching position because his play *Les Mouches* was understood by the occupation authorities as a protest against the regime.

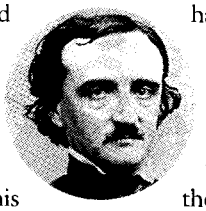
Few writers at the time, according to Lecarme, went as far as Sartre in fighting the Nazis with their pens. But whether we can follow Lecarme in his assertion that "one hardly sees how he could have done more" is another matter. Susan Rubin Suleiman, a professor of French and comparative literature at Harvard University, points out that a certain amount of accommodation to the Vichy regime and the German authorities was necessary to stage *Les Mouches* and that Sartre certainly knew that Jews were being dismissed from teaching posts at all levels and yet failed to raise his voice in protest. In this, Suleiman adds, Sartre was typical of his time—neither more heroic nor more blameworthy. Denis Hollier, a professor of French literature at New York University, concurs: "This is just another reminder that Sartre's heroism should certainly not be overblown."

Yet the need to hold Sartre up as a role model dies hard, as witnessed by Lecarme's aggressive tone in his dismissal of Galster's attacks. What this shows, according to Suleiman, is that Sartre has become a "*lieu de mémoire*...a kind of national monument" marking a "sore point" in French national memory. The current Sartre conflict turns on issues—the occupation and the Jewish genocide—that remain fraught for the French today. Sartre's war record can still get pulses racing because the French have so far failed to probe sufficiently what Hollier calls the sensitive "borderlines" of their national past.

MAURIE SAMUELS

FALL OF THE HOUSE OF POE

"I KNOW NOT HOW IT WAS," Edgar Allan Poe wrote in his most famous short story, "but, with the first glimpse of the building, a sense of insufferable gloom pervaded my spirit." No doubt the master's words echoed woefully in the minds of those who gathered outside his former Greenwich Village home on a Wednesday evening this August. Despite a miasma as thick and damp as the final liquefaction of Mr. Valdemar, some two hundred people had come out to protest New York University's plans to tear down the four-story red-brick Greek Revival town house at 85 West Third Street. The university wants to build a thirteen-story, 135,000-square-foot red-brick and copper law school building on the site.



"Demolition? Nevermore!" read one sign, accompanied by a drawing of what seemed to be a raven. "Shame on NY*U*," read another. At one point, the crowd chanted "NYU nevermore!" and later "Save Washington Square!" The occasional Poe poem was recited—"Eldorado" and, of course, "The Raven." NYU is also threatening the nearby Judson House, renovated in the 1890s by the famous architectural firm McKim, Mead and White. At the protest, Stanford White's great-granddaughter Wonderly White likened the destruction of the two buildings to the burning of books. "I know that my great-grandfather is turning in his grave right now," she said.

No one dared speculate what was happening in Poe's grave. Houses inhabited by Poe survive in Baltimore, the Bronx, and Philadelphia, but 85 West Third Street is the only Manhattan Poe residence still standing. To thwart NYU, preservationists have filed a civil suit contesting the university's purchase of the Judson House. The plaintiffs charge that there was no public hearing before that sale and no review by the state historic preservation office. E.L. Doctorow and Woody Allen have written letters to *The New York Times* on the preserva-

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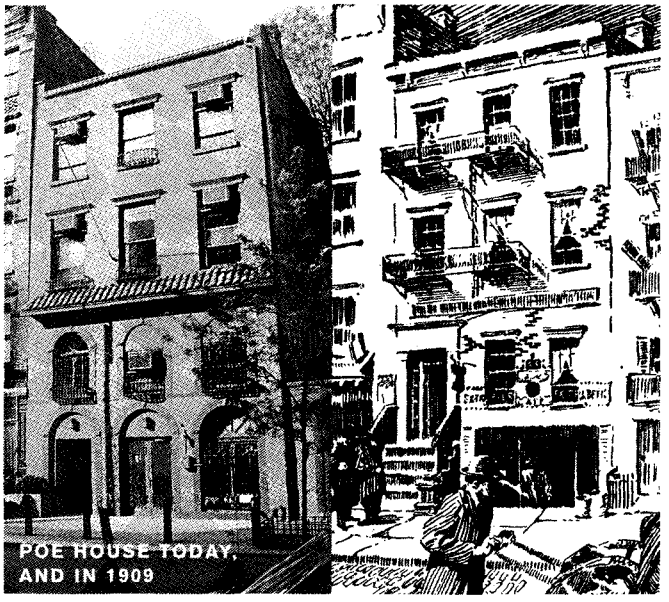

"Demolition? Nevermore!" read a protest sign that was illustrated with a raven.

tionists' behalf. ("It is hard for me to believe that a great institution like NYU, which had the foresight and good taste to expel me many years ago, would be insensitive to this situation," wrote Allen.) State Supreme Court Justice Robert Lippmann has issued a temporary restraining order that forbids NYU from demolishing the house while the suit is pending.

NYU pleads that its law school needs space. Officials also claim that decades of gutting and renovation have changed the Poe house beyond recognition and that Poe accomplished little of significance in the home anyway. Michael Deas, an organizer of the protest and author of *Portraits and Daguerreotypes of Edgar Allan Poe,* calls NYU's tactics "Orwellian and sinister." Deas concedes that the building's first floor has undergone substantial renovation—in its recent incarnations, the building served as a fraternity house and a discotheque—but he holds NYU responsible for the damage, because it has owned the property since 1966. He notes that the upper two floors, where Poe made his home, are largely unchanged.

According to the writer and director Robert Armin, who is working on a historical novel set in the home, Poe's time in the Village is worth commemorating. Armin says that 1845–1846 was Poe's most prosperous and most disastrous year. He was able to afford the tony address thanks to the recent success of "The Raven." While living on West Third Street, Poe took over the editorship of the *Broadway Journal,* often referred to as the *New Yorker* of its day. Unfortunately, the health of his consumptive wife, Virginia, was failing (a valentine she wrote Poe while they lived in the

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house survives), and in a series of magazine articles (later published as *The Literati of New York City*), Poe insulted a powerful set of people. According to Armin, a "triumvirate of major literary ladies"—Elizabeth Ellet, Margaret Fuller, and Anne Lynch—soon "hounded Poe out of the city" for alleged romantic indiscretions.

Burton Pollin, a professor emeritus at City University of New York and the author of twelve books and 136 articles about Poe, gave the last speech of the evening's protest. During a May community board hearing, Pollin had inquired: "Shall we demolish the residence of this genius who was there and then at work? Surely [his] books and many other cumulative volumes of monthly magazines rustle their negative answer to the question."

HILARY RUSS

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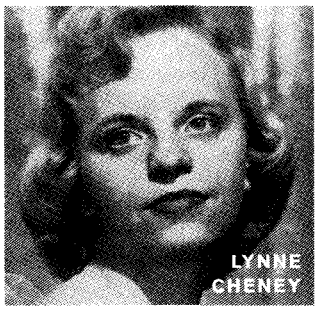

SWEETNESS AND MIGHT

In Cheney's 1988 novel, the heroine becomes vice president after her husband dies in the carnal embrace of a reporter.

IN 1970, THE UNIVERSITY OF Wisconsin at Madison was arguably the most radical campus in the nation. Its English department was especially restive, serving as a home base for both the school's fledgling Teaching Assistants' Association and its vigorous antiwar movement. Yet that year, the department produced such unmistakably traditional dissertations as "Verse Design in the Poetry of the Hopkins–Bridges Circle" and "Victorian Pegasus in Harness: A Study of Charles Kingsley's Debt to Thomas Carlyle and F.D. Maurice." It also approved a Ph.D. thesis by its most well-known alum, titled "Matthew Arnold's Possible Perfection: A Study of the Kantian Strain in Arnold's Poetry."

That thesis demonstrates a nuanced understanding of how the German philosopher Immanuel Kant's thought affected the work of the Victorian poet, critic, and education reformer Matthew Arnold. The author argues that Arnold's poetry explores what it means to live trapped in a world of mere phenomena, never reaching a world that is unmistakably "real." Because of "this strange disease of modern life," Arnold believed poets had a special vocation: "to turn men inward in their search for salvation." According to the dissertation writer, Arnold's philosophy was marked by his "dislike of the dogmatic, his certainty of human inability to know absolutely." Arnold urged his readers to explore the truths within themselves:

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The Sham That Shook the Academy
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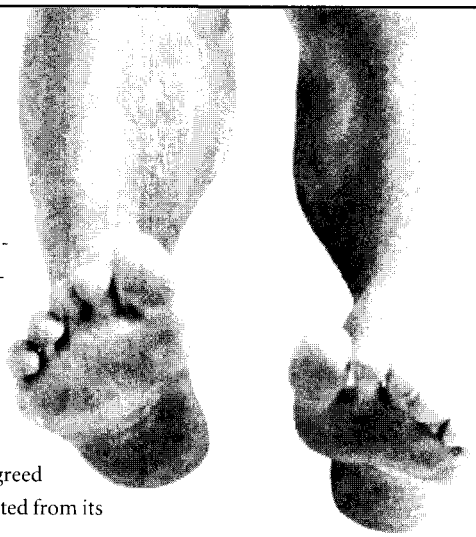

In May 1996 physicist Alan Sokal published an essay in the fashionable academic journal *Social Text*. The prose was thick with the jargon of poststructuralism. And the point the essay tried to make was counterintuitive: gravity, Sokal argued, was a fiction that society had agreed upon, and science needed to be liberated from its ideological blinders.

When Sokal revealed in the pages of *Lingua Franca* that he had written the article as a parody, the story hit the front page of the *New York Times*. It set off a national debate still raging today: Are scholars in the humanities trapped in a jargon-ridden Wonderland? Are scientists deluded in thinking their work is objective? Are literature professors suffering from science envy? Was Sokal's joke funny? Was the Enlightenment such a bad thing after all? And isn't it a little bit true that the meaning of gravity is contingent upon your cultural perspective?

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"Live by thy light and earth will live by hers."

The premature postmodernism of this dissertation is especially striking when one considers who wrote it: Lynne Cheney, Chairman of the National Endowment for the Humanities (NEH) from 1986 to 1992, conservative pundit, and wife of Republican vice presidential nominee Richard Cheney. How did it come about that this devoted acolyte of the philosophical uncertainties and intellectual questing of the early Matthew Arnold served as the most partisan and politicized director the NEH has ever had?

Hints of an answer can be found in two of the three novels Lynne Cheney published in the 1970s and 1980s. Taken together, these novels read as a cruel anatomy of the roles open to women in the men's world of Washington politics. The options are clear: Stay away from politics altogether and languish in the shadows, subordinate yourself to your political husband, or—most promising perhaps—become a political player in your own right. Consider a central figure of *Executive Privilege,* published in 1979. In a world otherwise populated by the unhappy wives of politicians and by single women who pursue their own careers at the price of intimacy with husbands and lovers, Nancy Dodman finds herself sitting at home finishing a dissertation on Immanuel Kant. Meanwhile, her journalist-husband nearly has an affair with one of those unattached career girls. Ultimately, Nancy can save her marriage only by putting her dissertation aside and following her husband to a presidential stakeout.

By 1985 Cheney's own ambitions have become more explicit. The contributor's note to an article of hers in *The Washingtonian* titled "The Decline of the Dutiful Wife" asserts that Cheney is "willing to help in her husband's campaigns,...but only if she's given a speaking role." And in *The Body Politic,* co-written in 1988 with Victor Gold, her gloves are off. That novel depicts a woman whose political career begins with a campaign to put Ayn Rand on a postage stamp. She marries a man who is elected vice president, and after he dies in the carnal embrace of Washington's sexiest reporter, she herself becomes vice president.

Though Cheney is unlikely to rise that far, she has nonetheless become an influential Washington voice with her attacks on postmodern relativism and her praise of the traditional canon. In some respects, of course, her defense of the canon echoes her hero Matthew Arnold, who famously called for honoring "the best that has been thought and said." In recent years, the prestige of Arnold's Victorian era has been at a high-water mark among conservatives. There has been much talk of "Victorian values," "Victorian virtues," and "family values"—especially in the work of Cheney's fellow Washington conservative and Victorianist, the historian Gertrude Himmelfarb. In books such as *The De-moralization of Society* (1995) and in countless editorials and articles, Himmelfarb has described the Victorian era as a time of private charity and hard work, an age of widespread commitment to responsibility and decency. This

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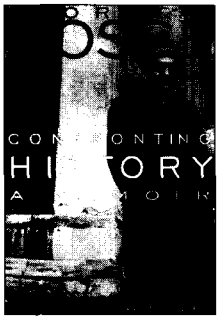

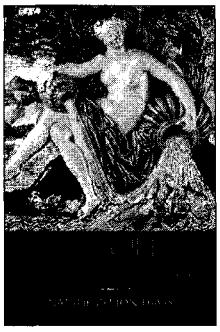

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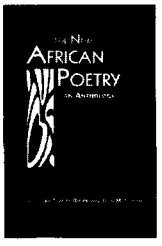

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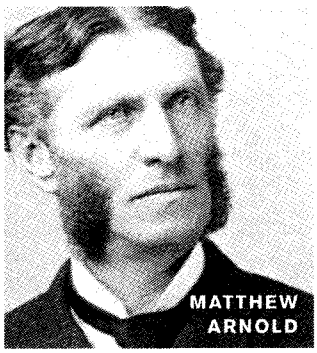
description has seemed questionable to some Victorianists (Elaine Hadley, for example, has criticized Himmelfarb for downplaying the role of a ballooning Victorian bureaucracy and powerful administrative state), but it has proven a boon to Republican neo- and paleoconservatives alike.

Can Cheney be explained, then, as a New Arnoldian, urging "sweetness and light" on a sour and benighted nation? Perhaps. And yet when writing her dissertation, Cheney was concerned with an earlier Arnold: the poet, not the social critic; a man who was not dogmatic but Socratic. Something, it seems, has changed. It's striking how many of Cheney's current denunciations of what she calls "postmodern thought" are penned in terms broad enough to include her erstwhile idol. In her 1995 book, *Telling the Truth,* for example, she criticizes Michel Foucault for adopting the very same ideas she had once praised in Arnold: "In rejecting an independent reality, an externally verifiable truth...he was rejecting the foundational principles of the West." Back in 1970, Cheney ended her dissertation with a tentative suggestion that Arnold's final poetic insight is to forsake empiricism and embrace linguistics instead: Only by "educating man in the nature of language" can clarity be attained. And yet in *Telling the Truth,* Cheney mocks poststructuralists who attempt such an education: She now argues that legal scholars who claim that "the law...is no more definitive than a poem or a play" are advocates either of "total nihilism" or of dangerously "progressive" political agenda.


MATTHEW ARNOLD

All in all, it is hard to imagine what today's Cheney would make of an article she once published in *Modern Fiction Studies.* The novels of Graham Greene show that traditional values "have always been impossible," she concluded in 1970; today she would be more likely to argue that those virtues have always been necessary.

Perhaps Cheney has taken a page from Arnold's own book on how to switch careers in midstream: He certainly became a good deal more sure of himself and averse to skepticism of all sorts when he switched his energies from poetry to cultural criticism in the late 1850s. But whatever the reasons for Cheney's intellectual alteration, its implications are potentially significant.

Lynne Cheney may play a significant role in fashioning the educational agenda of the Republicans' "compassionate conservatism"—a conservatism more than a little reminiscent of Benjamin Disraeli's similar attempt to re-brand the Tory Party with rhetorical laments about Victorian England's division into "two nations." Come January 2001, the rehabilitation of the earlier Lynne Cheney may be the best hope for those who admire what Cheney herself once called "the free play of the mind over all the best ideas of the world."

JOHN PLOTZ

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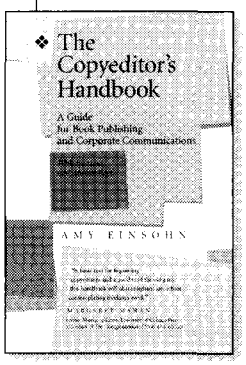

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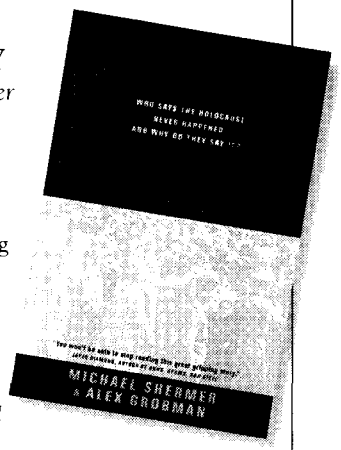

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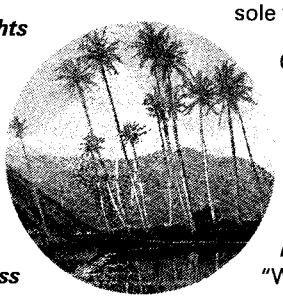
SURVIVORS: BEST BOOKS OF THE '90S

THE TRIBE HAS SPOKEN. BY INTERNET PLEBISCITE, THE READERS of *Lingua Franca* have chosen the best academic books of the 1990s. And like most things wrought by democracy, the results inspire a wistful sense of untapped possibility. In a just world, no doubt someone would have seconded the lone vote for Wheeler M. Thackston's translation of *The Jahangirnama: Memoirs of Jahangir, Emperor of India*, whose nominator called it "extraordinary" and "long overdue." And *The Prokaryotes*, a four-volume handbook on microorganisms who are nucleus-challenged, surely ought to have seduced more than one biology professor into "overextending my faculty borrowing privileges."

But although more than three hundred books were nominated, few such specialized titles received more than one vote. To win, books had to tackle big, interdisciplinary topics: gender, class, race, natural selection, America, or Elizabeth I.

The following titles get to stay on the island:

1. **Camille Paglia, *Sexual Personae: Art and Decadence from Nefertiti to Emily Dickinson*** (Yale, 1990)
2. **George Chauncey, *Gay New York: Gender, Urban Culture, and the Makings of the Gay Male World, 1890–1940*** (Basic, 1994)
3. **Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*** (Routledge, 1990)
4. **Patricia J. Williams, *The Alchemy of Race and Rights*** (Harvard, 1991)
5. **John Guillory, *Cultural Capital: The Problem of Literary Canon Formation*** (Chicago, 1993)
6. **Daniel C. Dennett, *Darwin's Dangerous Idea: Evolution and the Meanings of Life*** (Simon & Schuster, 1995)
7. **Eve Kosofsky Sedgwick, *Epistemology of the Closet*** (California, 1990)
8. **Sherry Lee Linkon, ed., *Teaching Working Class*** (Massachusetts, 1999)
9. **Carole Levin, *The Heart and Stomach of a King: Elizabeth I and the Politics of Sex and Power*** (Pennsylvania, 1994)
10. **Gordon S. Wood, *The Radicalism of the American Revolution*** (Knopf, 1992)



Honorable mention goes to the following: *City of Quartz: Excavating the Future in Los Angeles* by Mike Davis, *Guns, Germs, and Steel: The Fates of Human Societies* by Jared Diamond, *Terrible Honesty: Mongrel Manhattan in the 1920s* by Ann Douglas, *There's No Such Thing As Free Speech and It's a Good Thing, Too* by Stanley Fish, *The Art of Living: Socratic Reflections From Plato to Foucault* by Alexander Nehamas, *The Language Instinct* by Steven Pinker, *Political Liberalism* by John Rawls, *Lectures on Conversation* by Harvey Sacks, *Working-Class Women in the Academy: Laborers in the Knowledge Factory* edited by Michelle M. Tokarczyk and Elizabeth A. Fay, and *Shame and Necessity* by Bernard Williams.

For a full listing of nominated books and their publishers, as well as our readers' comments, visit www.linguafranca.com. Here's a sampling:

On ***Sexual Personae*** by **Camille Paglia**:
"Almost too brilliant to even discuss properly"; "rigorous and passionate adaptation of classical paganism to modern intellectual life."

On ***Cultural Capital*** by **John Guillory**:
"Restores my faith whenever I begin to think my profession is drowning in dreck."

On ***Epistemology of the Closet*** by **Eve Kosofsky Sedgwick**:
"Sedgwick particularly impressed me with the generosity of her theorizing (including, even especially, toward those whose approach is less theoretically inflected than hers)."

On ***Coercion, Capital, and European States, AD 990–1990*** by **Charles Tilly**:
"A must for anyone whose interest in history outpaces his ability to remember details."

On ***Itch: Mechanisms and Management of Pruritis*** by **Jeffrey D. Bernhard**:
"First (and still the only) comprehensive medical textbook about itching."

On ***Mr. Bligh's Bad Language: Passion, Power and Theatre on the Bounty*** by **Greg Dening**:
"Showed me how fascinating the issue of representation can be just when I was losing interest in it."

On ***Sex, Ecology, Spirituality: The Spirit of Evolution*** by **Ken Wilbur**:
"Though it has almost no standing in the academy...it is the sole work of the modern period that rivals Hegel."

On ***The Corrosion of Character: The Personal Consequences of Work in the New Capitalism*** by **Richard Sennett**:
"Wrongheaded but beautifully crafted and argued...a model of popular academic writing."

On ***Bound and Gagged: Pornography and the Politics of Fantasy in America*** by **Laura Kipnis**:
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On ***The Culture of Disbelief*** by ***Stephen L. Carter*** and ***The Soul of the American University*** by **George Marsden**:
"Put the issue of religion and education on the academic map, where it will continue to stay as long as politicians argue about how best to restore character and fundamental values to the academy."

On ***Wittgenstein's Place in Twentieth Century Analytic Philosophy*** by **P. M.S. Hacker**:
"Strikingly accurate picture of the decline of analytic philosophy, that is, how it degenerated from its once noble stature as the tribunal of science to becoming its mere handmaiden."

On ***Words and Rules: The Ingredients of Language*** by **Steven Pinker**:
"The approach of my genomics research group to the analysis of DNA is through linguistics....I found that I could read Pinker's book, inserting 'DNA sequence' into his analyses, and could come up with many interesting hypotheses."

On ***Tears*** by **Mark C. Taylor**:
"Taylor's meditation on religion bridged negation theology and poststructuralism, making available a radically new way to inhabit the idea of faith."

On ***Confronting Sexual Harassment: What Schools and Colleges Can Do*** by **Judith Berman Brandenburg**:
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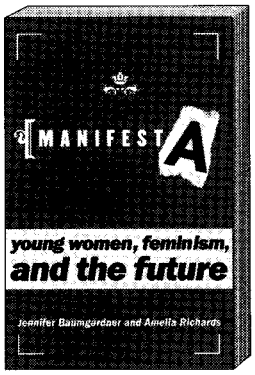

Deftly applying Third Wave confidence to Second Wave consciousness, Baumgardner and Richards offer a perceptive indictment from within of the current state of feminism—and an incendiary call to arms. "The best thing about *Manifesta* is that it isn't one. It puts forth the dualities, contractions, and schisms of conscious women with intelligence, humor, and passion."—Eve Ensler, author of *The Vagina Monologues*

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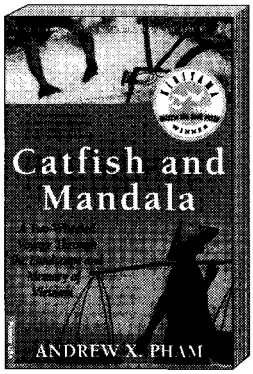
Catfish and Mandala

A Two-Wheeled Voyage Through the Landscape and Memory of Vietnam

Andrew X. Pham



Winner of the Kiriyama Pacific Rim Book Prize and a *New York Times* Notable Book of the Year, this poignant story concerns a young Vietnamese-American man's dual quest for his adopted homeland as well as his forsaken fatherland. "Engaging, vigorously told . . . A fresh and original look at how proud Vietnamese on the war's losing side reconciled having their identity abruptly hyphenated to Vietnamese-American."—Gavin Scott, *Chicago Tribune*

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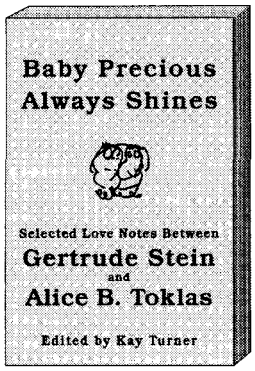
Baby Precious Always Shines

Selected Love Notes Between Gertrude Stein and Alice B. Toklas

Edited by
Kay Turner



"Even in these scraps and scrawls of love, which are intrinsically helpful biographically, Stein remains a writer. They show one of the most vital tensions of her work—between her diction, deliberately stripped down to the barest linguistic simplicities, and her structure, a sophisticated effort to replicate the unique, immediate rhythms of experience."—Catharine R. Stimpson, *The Women's Review of Books*

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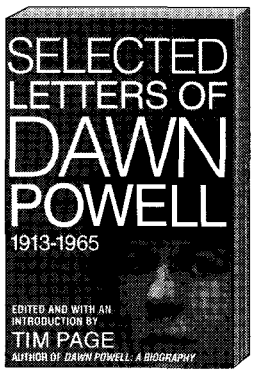
Selected Letters of Dawn Powell

1913-1965

Edited and with an Introduction by
Tim Page



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Breakthrough Books

THE UNIVERSITY

WE ASKED FIVE ACADEMICS TO RECOMMEND THEIR FAVORITE BOOKS—OLD AND NEW—ABOUT THE UNIVERSITY.

Andrew Delbanco, professor of humanities at Columbia University and author, most recently, of *The Real American Dream: A Meditation on Hope* (Harvard, 1999).

"In 1964, the dean of Columbia College asked professor of sociology **Daniel Bell** to prepare a report on the past, present, and future of undergraduate education. According to Lionel Trilling, the resulting document was received with indifference by the faculty, and, as far as I can tell, it had no effect on Columbia's curriculum—but fortunately, it was published under the title ***Reforming of General Education*** (Transaction, 2000). It is a brilliant account not merely of local matters but of the history of the modern university—full of prescient insights about the rising tension between research and teaching, the growing power of universities to confer social status on their graduates, the implications of postmodernism, bureaucratization, and the irresistible mixing of academic and business values. Bell's discussion of what education should be ('historical consciousness is the foundation') remains powerful and challenging. He saw thirty-five years ago the value and deficiencies of 'Great Books' courses and the difficult but compulsory challenges of offering science education for nonscientists, enlarging the scope of the curriculum beyond Western traditions, and formalizing the study of 'rights and values.' His book makes timely reading: Today, research universities still largely depend on their college students (and alumni) for revenue, but the fundamental questions Bell raised about undergraduate education have virtually disappeared from discussions among faculty and administrators. It is amazing, in today's context, to witness someone of Bell's stature making such an impassioned inquiry into the principles and purposes of undergraduate teaching."

William G. Tierney, professor of higher education at the University of Southern California, director of the Center for Higher Education Policy, and author of *Building the Responsive Campus: Creating Higher Performance Colleges and Universities* (Sage, 1999).

"A half century separates **Mary McCarthy**'s ***The Groves of Academe*** (Harcourt Brace, 1951) and **Philip Roth**'s ***The Human Stain*** (Houghton Mifflin, 2000), but some things, apparently, never change. Both books portray an academic life where oversize egos run rampant. The professoriat's most treasured totem—academic freedom—seems most at risk not from external provocateurs but from faculty politics. Whether the character is McCarthy's Henry Mulcahy, a manipulative literature professor at a progressive college, or Roth's Delphine Roux, a snooty, young department chair, professors become satiric targets who deserve equal parts pity and scorn. Although both works hilariously reproduce the often-turgid lingo heard at faculty meetings, I am left, as with so many other academic novels, with a sense that these portraits are somehow incomplete. Yes, academic life is filled with pretension, politics, and false piety—but isn't there also intellectual passion, sensitivity, and humility?"

Catharine R. Stimpson, dean of the graduate school of arts and science at New York University and author of the forward to Marilyn J. Boxer's *When Women Ask the Questions: Creating Women's Studies in America* (Johns Hopkins, 1998).

"***Ravelstein*** (Viking, 2000), **Saul Bellow**'s novel about a professor of political philosophy, and ***Postbaccalaureate Futures: New Markets, Resources, Credentials*** (Oryx Press, 2000), an earnest collection of essays edited by **Kay Kohl** and **Jules LaPidus** about changes in contemporary higher education, are as dissimilar as a diva's solo and an electronic synthesizer's processed notes. But together, in their incompatibility, the books represent competing choices that postmodern societies face about higher education. In *Ravelstein*, education centers on the deeply learned, quirky, brilliant professor who inducts a group of students (mostly white and male, I fear) into a quest for the truths found in canonical texts and into the love that sustains this quest. Abe Ravelstein is a 'genius educator,' a hedonist who reads and rereads Aristotle in the original Greek and who organizes parties where his students eat pizza and watch the Chicago Bulls. His students go on to become powerful and worldly, but their liberal arts

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education with Ravelstein will permanently influence their lives. In contrast, education in *Postbaccalaureate Futures* is 'student-centered,' but students are part of 'emerging' educational markets. Their classrooms will often be digital, their teaching done by instructional technology as well as faculty. Their syllabi, which someone will manage as part of a 'knowledge supply chain,' will focus on professional and competency training, not the liberal arts. Give me the democratic vistas and technological realism of *Postbaccalaureate Futures,* but give me as well the aesthetic complexities of *Ravelstein,* its pleasure in humanistic learning, and the gusto of a humanist like flawed, charismatic Abe Ravelstein."

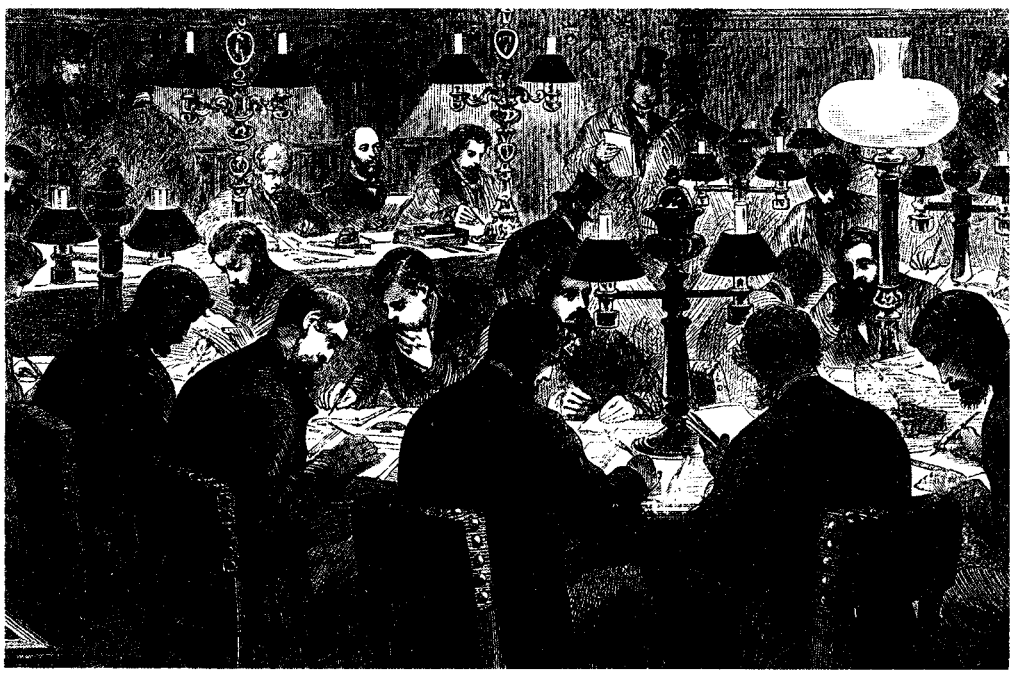
Philip G. Altbach, professor of higher education at Boston College and co-editor of *American Higher Education in the 21st Century: Social, Political, and Economic Challenges* (Johns Hopkins, 1999).

"The literature on higher education is replete with attacks and critiques, hand-wringing and hyperbole—the decline of this, the corruption of that. But the fact is that universities are successful institutions that have met the needs of society for eight hundred years. There is no better explanation of how the modern American university system works than **Clark Kerr**'s 1963 book, ***The Uses of the University*** (Harvard, 1995). Kerr, who served as president of the University of California system, coined the term 'multiversity' and writes both of the emergence of advanced research and of the relationship between the university and society. **Edward Shils**'s ***The Calling of Education: 'The Academic Ethic' and Other Essays on Higher Education*** (Chicago, 1997) argues strongly for the core values of the university—autonomy, research, careful attention to teaching, especially in the liberal arts, and academic freedom. Shils is harshly critical of the politicization of higher education, through both government interference and 'political correctness.' Finally, **Charles Homer Haskins**'s 1923 book, ***The Rise of Universities*** (Cornell, 1957), provides a succinct account of the medieval university that sheds light on the mission of one of society's most complex but valuable institutions."

David Damrosch, professor of English and comparative literature at Columbia University and author of *Meetings of the Mind* (Princeton, 2000).

"**F.M. Cornford**'s satiric ***Microcosmographia Academica: Being a Guide for the Young Academic Politician,*** published in 1908, provides a salutary reminder of how little some things change. Cornford's book is now available in a new edition edited by **Gordon Johnson** titled ***University Politics: F.M. Cornford's Cambridge and His Advice to the Young Academic Politician*** (Cambridge, 1994). Johnson's extensive introduction and notes reveal the history of failed reform that lies behind Cornford's memorable formulations: 'When you reach middle age, at five-and-thirty, you will become complacent, and, in your turn, an oppressor...and from far below you will mount the roar of a ruthless multitude of young men in a hurry.... They are in a hurry to get you out of the way.' By contrast, just how much has changed in today's world of university corporatization can be seen from editor **Peter C. Herman**'s stimulating new collection, ***Day Late, Dollar Short: The Next Generation and the New Academy*** (SUNY, 2000). Herman and a dozen contributors are young men and women acutely aware that they can no longer expect to settle comfortably into the places of a deposed older generation. They examine a range of critical issues: the academic star system, the advent of new information technologies, attacks on tenure and the increasing use of part-time teachers, coterie discourse and public engagement. All the contributors take as a common theme the uses and limits of literary and cultural theory beyond the ivory towers of the Ivy League."

JOHN PALATTELLA



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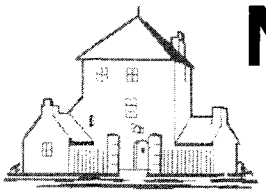

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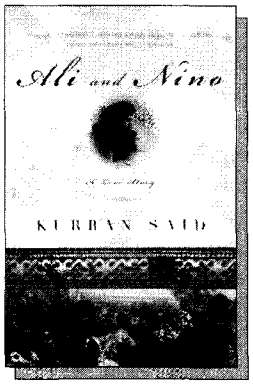

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by Kurban Said

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"An epic of cultural change that seems more immediate than this morning's headlines."
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First published in 1937, *Ali and Nino* has recently re-surfaced as a lost classic novel of culture, religion, and war. Set on the eve of World War I in Baku, Azerbaijan, it is the story of Ali, a Muslim schoolboy who falls in love with Nino, a Christian girl. Through the struggle between loyalty for their cultures and their love for each other, Said reveals a world in turmoil.

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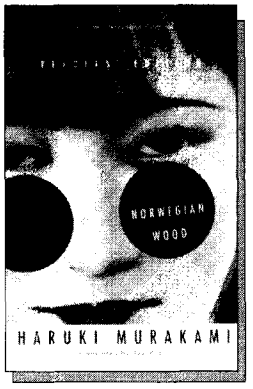

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"A world class writer who has both eyes open and takes big risks."
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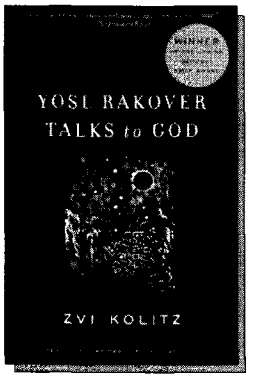

Yosl Rakover Talks to God

by Zvi Kolitz

Translated by Carol Brown Janeway

Winner of the National Jewish Book Award

"A singular literary creation, worth pondering for generations to come."
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Purportedly written by one of the last survivors of the Warsaw uprising, *Yosl Rakover Talks to God* is accompanied by an explanatory essay by German journalist Paul Badde and an Afterword by Emmanuel Lévinas and Leon Wieseltier.

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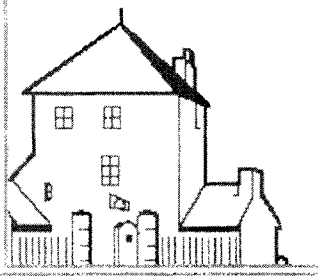

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MY OWN PRIVATE IOWA

AFTER SIXTY-SIX YEARS OF PUBLISHING PRIZE-winning titles in areas such as aviation and veterinary science, Iowa State University Press announced in late July that it would shed its nonprofit status and merge its operations with a commercial publishing giant, the U.K.-based Blackwell Science. The deal has left the scholarly publishing community perplexed—and concerned. Has ISU Press found a bold and idiosyncratic blueprint for financial health? Or has it set a dangerous new precedent for academic publishers looking to gain a competitive edge on their nonprofit peers?

For ISU Press, the merger with Blackwell Science put a quick, if controversial, end to months of speculation surrounding the fate of the Press and its twenty-four employees. Despite a pattern of growth that included record earnings in fiscal year 1999—more than $4 million—the Press's board of trustees concluded earlier this year that its $100,000 annual surplus was just not equal to the challenges that lie ahead. How would the Press pay for that new roof? The new software for order fulfillment? The new computers and personnel? And how could it expect to compete in the rapidly expanding digital realm?

"In order for us to meet our long-term obligations, instead of a $4 million corporation, we needed to be in the $8 million range or cut back to $2.5 million or so," explains Al Austin, an ISU professor of engineering and the president of the Press's board of trustees. To reach this goal, Austin says, the board examined a range of options, including acquiring other presses, scaling back publications, and selling off lines of books. "One thing we looked at was closing the doors of the Press and going out of business," Austin notes, almost as an afterthought. "But that was never high on our list."

One source of investment that was not available to the Press was Iowa State University itself. "In a lot of ways, you can look at our press and say that we were already operating as a commercial press under a university press umbrella—we had to make a profit or we would go out of business," says Austin. "The university made it very clear to us that it was not going to put money into the press." According to Austin, this has been true for at least forty years. And although former ISU president Martin Jischke raised over $425 million in gifts in the past five years, administrators' attitudes have not changed. "The university in its strategic planning came to a conclusion that it is not able or interested in allocating resources to the press," explains Warren Madden, ISU's vice president for business and finance. "It's just not in the priorities of Iowa State University." Does that mean that if the press had asked for some investment, it would have been turned down? Yes, says Madden. "And there is no indication that would change."

So the trustees opted for a merger deal under which Blackwell Science will pay ISU about $2 million. That money will go into an endowment, out of which $100,000 annually will go to sustain "scholarly publications." The university will license its name to Blackwell Science on a five-year renewable basis, and the joint Blackwell-ISU venture will continue to publish under the ISU Press imprint. Blackwell will own the Press's backlist outright. (*Better Farm Accounting*, with sales of over one million, is the press's best-selling backlist title; a series of flight manuals by William Kershner has also done extremely well.) Some of those backlist books may become Blackwell Science editions, says Madden, just as some future Blackwell publications may be published under the ISU Press imprint. A joint imprint is

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also a possibility. For the moment, at least, Blackwell has agreed to retain the current ISU staff, and the operation will remain in Ames, Iowa.

Is the university at all worried about licensing its name to a corporate entity? Madden says there are safeguards in the deal to protect the university's reputation. "There will be peer review of proposed publications," he says. "And there is a mechanism for us to say no if they want to publish something like a *Playboy* magazine under the imprint." In the case of a more typical editorial disagreement over, say, the quality of an author's scholarship, the merger contract provides for legal arbitration.

Regier called the merger "a real takeover by a corporation of a university press."

Such assurances fail to quiet the nerves of some scholarly publishing professionals. University presses are by their nature responsible to scholars, not shareholders, explains Douglas Armato, the director of the University of Minnesota Press. "I am most concerned," says Armato, "about the possible dilution of what it means to be an American university press." It's a concern he shares with Willis Regier, the incoming president of the Association of American University Presses (AAUP) and the director of the University of Illinois Press. Regier told reporters at the *Chronicle of Higher Education* that the merger was "a real takeover by a corporation of a university press" and that it marked the first time a university press's assets had been sold off by its parent school to a corporate entity. "I think it's a horrible precedent," Regier declared.

For some observers, the biggest question is simply, why? What challenges loom so large that a midsize university press with a healthy bottom line would deem the future of nonprofit scholarly publishing untenable? "I may be going bonkers over this one," confesses Peter Givler, the executive director of the AAUP, "but something here doesn't add up." Givler, who characterized the merger as "sad" and "peculiar," offered to travel to Ames in early April to discuss alternatives with the Press's board of trustees. He received no reply.

Austin maintains that neither Givler nor anyone at the AAUP ever contacted him personally, but he confirms that the AAUP did reach out to the Press. The trustees, he says, did not think the intervention was necessary. "I'm not trying to be critical of the AAUP," explains Austin. "But when you're dealing with issues on a daily basis, and have conducted a thorough study over a number of months, and right at the end they come in, what could they bring to the table that we haven't already thought of?"

"What would I have brought to the table? You'd think that would be obvious," says Givler. "I'd like to think that if I'd had a chance I could have helped them get a better and more realistic understanding of where they were and what their choices were. Where in the world did they get the idea they had to hit $8 million? I'm sure somebody did that calculation for them, but the sad fact is that Mr. Austin and his colleagues just don't have any way of knowing whether it reflected a good financial model, whether it was based on reasonable assumptions, whether it grew out of a good understanding of this business and how it works. How could they? Publishing isn't their business. It is mine, though." It's Blackwell's, too.

ANDREW R. ALBANESE

GREAT SCOT?

AS YOU MIGHT EXPECT, THE NEW TWO-volume *Dictionary of Eighteenth-Century British Philosophers,* from England's Thoemmes Press, contains extensive entries on David Hume, William Godwin, and George Berkeley. It is in the sketches of more obscure figures, however, that the book really "comes into its own," as a reviewer for the *Times Literary Supplement* remarked in May. The short bios and intellectual profiles of forgotten thinkers form a useful backdrop for more canonical insights and arguments, summoning a world of theological and scientific ferment.

One such neglected figure, the reader would assume, is Beg Eolach Moidhach, who appears on page 621 of volume 2. Ring a bell? The dictionary relates that Moidhach, born circa 1715, was a Highland Scot and a nationalist of the first order. He refused to allow his works to be translated into English. As a matter of fact, he rejected

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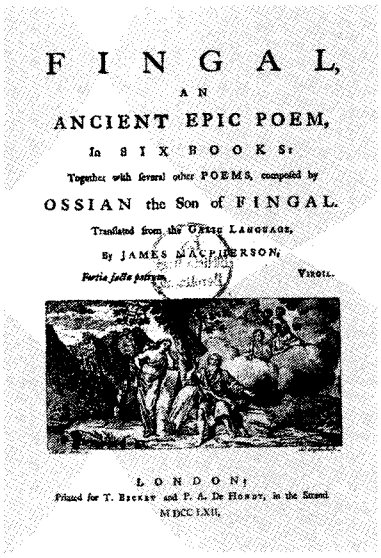
the English language entirely, "preferring, after Gaelic, to speak either Latin or Greek." Anti-imperialist to the end, he "died from drowning in Loch Lomond in April 1745, when he was fleeing reprisals from English soldiers whom he had insulted." The entry goes on to report that Moidhach's philosophical insights were set down in writing by various Gaelic speakers. During the Scottish uprising of 1745, a few months after Moidhach's death, a relative fled to Russia, taking with him what he could of these notes, which, according to the dictionary, are now to be found in the library of the Patrice Lumumba People's Friendship University in Moscow.

Alas, despite his belated reemergence from the murksome Scottish past, the colorful Moidhach will not be inspiring fresh dissertations anytime soon. The entry appears to be a hoax—although the dictionary's editors aren't fessing up.

David Fate Norton, a professor emeritus of philosophy at McGill University, is hot on the trail of the fabricator. In January, while taking notes for a review (forthcoming in the *Journal of the History of Ideas*), he noticed a few odd details in the account of Moidhach's life and oeuvre. For one, Moidhach was said to live a "frugal" life in the Highlands on a "small patrimony of about £60 a year." Norton knew that Hume was able to sustain a rather more cosmopolitan existence in Edinburgh, London, and France on less money. For another, the author of the entry, with the initials "NRóE," was the only contributor not further identified in the endnotes.

It was impossible, too, not to hear echoes of an earlier fraud that involved Scotland and literary fragments. In 1761, the poet James Macpherson returned from a trip to the Highlands claiming that he had discovered long stretches of indigenous epic poetry by a third-century author named Ossian. He published a prose translation of one work, *Fingal,* that same year, and followed it up in 1763 with another, *Temora*. A sensational debate over the authenticity of these works sprang up immediately—a debate that still resonates in academic discussions of the literature of the period—with Samuel Johnson emerging as one of Macpherson's fiercest detractors. Questions remain, but the consensus is that Macpherson fashioned the works himself out of a few snatches of historical poetry.


FINGAL,
AN
ANCIENT EPIC POEM,
In SIX BOOKS:
Together with several other POEMS, composed by
OSSIAN the Son of FINGAL.
Translated from the Galic LANGUAGE,
By JAMES MACPHERSON.
LONDON:
MDCC LXII.

Suspecting something awry, Norton e-mailed Thoemmes Press, ingenuously asking for contact information for NRóE. The press passed along word from John Valdimir Price, one of the editors of the volume, that Neas Riogh óEolas was unreachable, having departed Britain for Canada without leaving a forwarding address.

After consulting with members of the Society for Eighteenth-Century Scottish Studies, largely for help with Gaelic, Norton made his case against the entry in a letter to the *TLS,* published July 7. The name of the Highlands savant, he pointed out, when rendered as "Moidhach, Beg Eolach" (as it is at the top of the entry), means "Little Knowledgeable Hare." (Actually, "Hare of Little Knowledge" might be more precise.) Moreover, the words are not typically used as proper names.

What's more, notes Norton, the entry's historical claims don't quite add up. There was only a minimal British army presence in Scotland when Moidhach was said to have been harried to his death, and the military men who were there would have been quartered outside the Highlands. "Just what these soldiers, perhaps sensitive to taunts in Latin or Greek, were doing near Loch Lomond" is a mystery. Nor is Patrice Lumumba People's Friendship University—now called People's Friendship University—known for its holdings in Scottish philosophy.

Pleased with the publicity, Thoemmes Press asked Norton if it might post his letter on its Web site. Norton has withheld permission until he is given assurances that his hypothesis is correct. So far, Thoemmes and Price are being coy. Reached by phone in France, Price, who is retired from a post in the English department at the University of Edinburgh, wouldn't say much: "I think I will let it play itself out."

For a rigorously analytic mind, the lack of definitive proof can be tough to accept. "Look, I'm a philosophical skeptic," Norton says, sounding rather serious. "That I'm reasonably sure, or very, very sure, doesn't mean I'm right." *Lingua Franca* was unable to close the gap between "very, very sure" and categorical certainty. David Livingston-Lowe, who teaches in the Celtic Studies Program at the University of Toronto, says he is unaware of any new figures in the tiny circle of instructors

Ossian, a Scottish epic poet discovered in 1761, probably never existed. Now a phantom philosopher has risen from Loch Lomond.

BETTMANN/CORBIS

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The author's name translates from the Gaelic as "Ness, King o'Knowledge."

of Gaelic in Canada. He points out, too, that "Neas Riogh óEolas" is a hodgepodge of archaic Gaelic and weird spellings, meaning something like "Ness, King o'Knowledge." Officials at the People's Friendship University had not responded to faxes or e-mails as of press time.

Most likely, the Moidhach entry belongs to the long-standing tradition of hoaxes in reference works. The 1980 edition of the *New Grove Dictionary of Music and Musicians,* still on many library shelves, contains two bogus items. The better-known is an entry for one Dag Henrik Esrum-Hellerup, described as a nineteenth-century flutist and the author of a lost opera, *Alys og Elvertøj,* a.k.a. *Alice in Wonderland.* The entry was written by Robert Layton, a producer for the BBC, who eventually came clean: Esrum-Hellerup is a train line in Denmark. The other hoax entry, for a nonexistent sixteenth-century composer named Guglielmo Baldini, first appeared in a German music dictionary in 1959.

The entries were expunged from the second printing of the 1980 edition. The hoaxes have attracted so much attention, however, that for the new edition of the *Grove,* due out next month, the editors have commissioned an essay on music reference-work spoofs.

CHRISTOPHER SHEA

TWO-TIMING WOMAN

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Two scholars are currently facing this dilemma. Richard Bolster, senior lecturer in French at the University of Bristol, and Phyllis Stock-Morton, professor emerita of history at Seton Hall University, have recently brought out competing biographies of Marie de Flavigny, countess d'Agoult. Though she was an active writer and intellectual of the Romantic era, the countess is best remembered today for her adulterous affair with Franz Liszt, which produced three children

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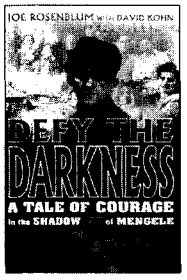

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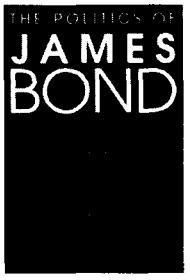

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and wreaked emotional havoc on all involved. (Filmgoers may recall Bernadette Peters's portrayal of a peevish d'Agoult in James Lapine's 1991 movie, *Impromptu*.)

The nearly simultaneous publication of the books came as a surprise to their authors. Although Bolster and Stock-Morton unwittingly followed in each other's footsteps for fifteen or twenty years, their paths never crossed. As Bolster suggests, "Maybe we were sitting in the same library," conducting archival research in Paris and Versailles. While they heard of each other through their publishers, neither followed up to make contact.

Will the simultaneous publication of the two biographies let some wind out of both scholars' sails? Stock-Morton laments, "It's unfortunate for me that this man decided to do the same thing." Indeed, she wonders "why a man would want to write about" d'Agoult. Nonetheless, she is "happy that I got mine out first," and she hopes that the two biographies will function "like two gas stations on the corner," which attract more attention together than either would on its own. Bolster, too, claims to be "happy" about the coincidence "because it will arouse interest." In response to Stock-Morton, he adds that "lots of men have written about d'Agoult," and also that "it would be extremely limiting if we could only write about members of the same sex."

Some of the books' similarities are striking. Both Stock-Morton's *The Life of Marie d'Agoult, Alias Daniel Stern* (Johns Hopkins) and Bolster's *Marie d'Agoult: The Rebel Countess* (Yale) begin with a reference to a German saying that appears early in d'Agoult's memoirs: "Children born at midnight have a mysterious nature." Stock-Morton believes the quote says "a lot about her character...she did feel she was someone special and that she would be someone special to Liszt." As they follow d'Agoult from her birth in 1805 to her death in 1876, Bolster and Stock-Morton tell of the arranged marriage to an older man, the dramatic elopement with Liszt, and the subsequent breaks with Liszt and her friend George Sand.

Both books also explore the tremendous social and intellectual gifts that enabled the countess to publish prolifically and to host an influential Parisian salon despite, or possibly because of, her scandalous affair. Writing under the pseudonym Daniel Stern, d'Agoult won widespread acclaim for a highly regarded three-volume account of the

Your book is about to go to press—and someone else is publishing on your topic.

LEFT: MARIE D'AGOULT BELOW: BERNADETTE PETERS IN *IMPROMPTU*

TOP: GIRAUDON/ART RESOURCE, NY; THE NEAL PETERS COLLECTION

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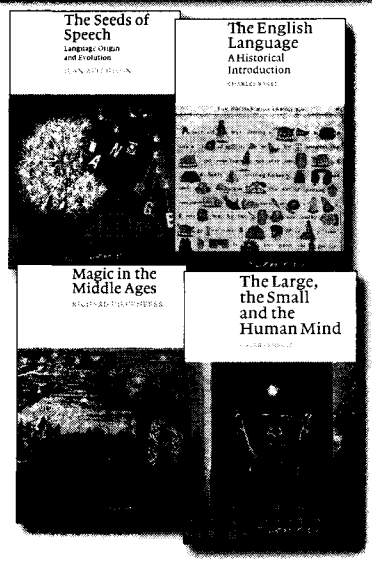
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Marie d'Agoult wrote a three-volume history of the Revolution of 1948, hosted a Parisian salon, and had a scandalous affair with Franz Liszt.

1848 French Revolution, as well as for her novels, political essays, and other histories. Both Bolster and Stock-Morton became interested in d'Agoult after reading her sympathetic yet balanced presentation of the Revolution. Bolster was particularly impressed by d'Agoult's research, which disproved newspaper accounts of "supposed atrocities" committed by the insurgents of June 1848 and supported the argument that radical workers "trying to overthrow the government weren't power hungry, but desperate people."

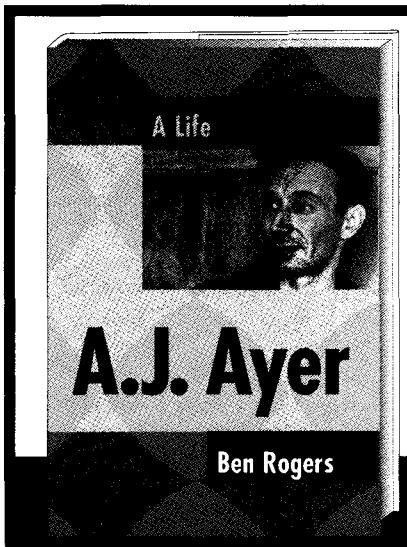
Despite this shared subject matter, the biographies take divergent approaches to writing women's history. Stock-Morton's is most interested in how the countess negotiated her identity "as a woman who started out thinking that her role in life was to be a muse to a great man." The affair with Liszt is crucial to the love-struck girl's transformation into an independent woman. Stock-Morton also places the romance at "the crux" of d'Agoult's break with the more promiscuous Sand. "Her attitude was you do this thing once, you fall in love, you leave your husband, but you don't keep on doing it," she says.

In contrast, Bolster's book stresses the historiographic interest of d'Agoult's writings and downplays her gender. Bolster sees d'Agoult (a contemporary and acquaintance of Jules Michelet's) as an important figure in the nineteenth-century reconceptualization of "history as a genre." He believes that it was "audacious, bold" of d'Agoult to study a revolution whose wounds had not yet healed. "To write a historical account of something so recent," he asserts, would be "like writing a history of the Vietnam War two or three years after it ended." Bolster's vivid account brings d'Agoult to life as "the aristocrat who became a defender of the poor."

Even beyond these two book-length biographies, d'Agoult's star appears to be on the rise. *Eve's Proud Descendants* by Whitney Walton, associate professor of history at Purdue University, prominently features d'Agoult as one of four nineteenth-century women who helped to redefine women's roles in the family and the public sphere.

What are we to make of this new and diverse interest in the countess? Stock-Morton suggests that "it's time for the women who would have had biographies written about them had they been men." After all, why should the simultaneous publication of two or three books on a historically significant woman be a coincidence any more mysterious than the birth of a child at midnight?

LAURA AURICCHIO



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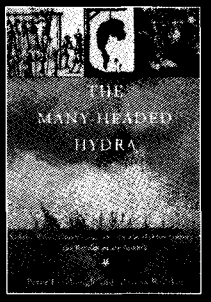

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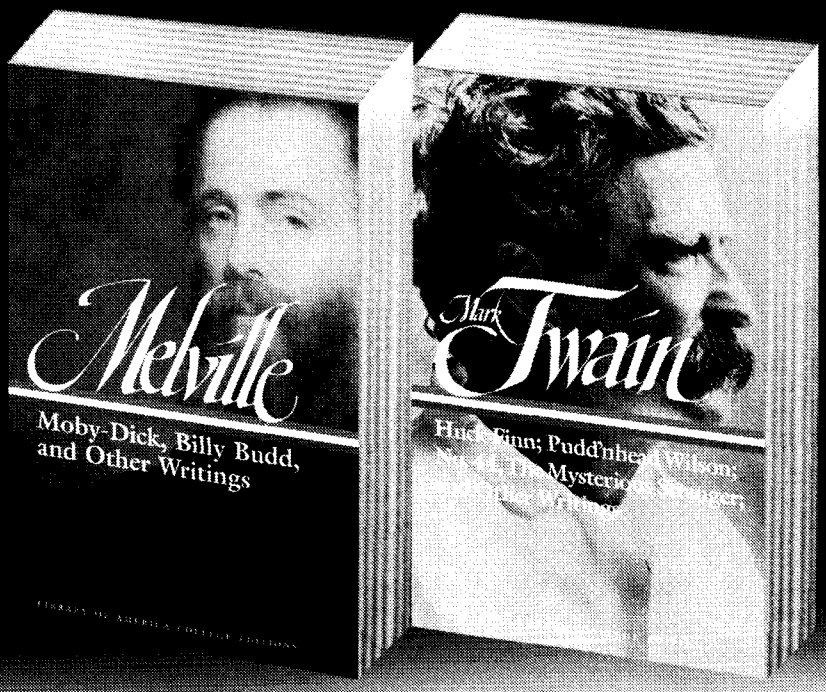

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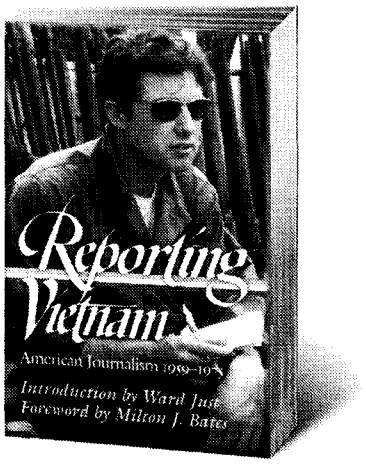

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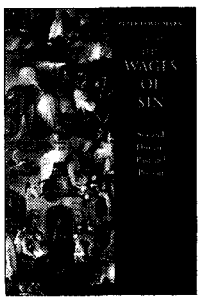

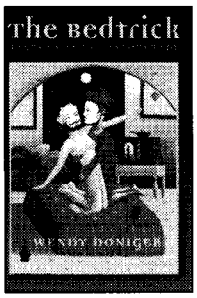

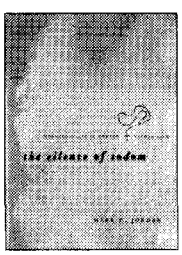

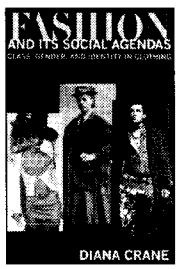

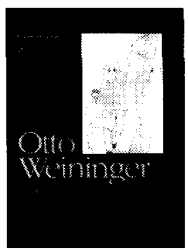

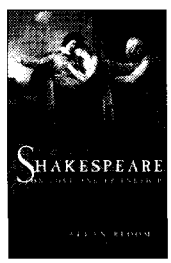

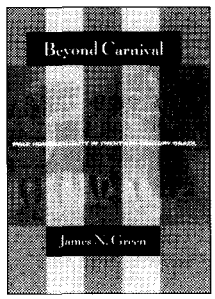

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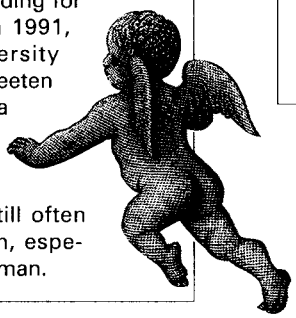
HIRING À DEUX

THE PROSPECTS FOR ACADEMIC COUPLES seeking joint appointments begin to improve as universities scrap old anti-nepotism rules in order to draw top talent to their campuses. Bidding for Mikhail Gorbachev in 1991, George Mason University even attempted to sweeten its deal by offering Raisa a job, reports *LF*'s Paul Elie. Of course, for less famous couples, the "trailing spouse" is still often viewed with suspicion, especially when she's a woman.



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IN THESE PAGES, CARLIN ROMANO DECLARES THE *NEW CRITERION* TO BE "A HYBRID of hatred and mediocrity," as mired in ideology as its rival journals on the left—and less well written. "If the *New Criterion* were a candidate, it would be Pat Buchanan. But if it were a punctuation mark, it would be the plodding semicolon—the badge of dullard writers everywhere." In *LF*'s next issue, a letter to the editor replies: "I resent being characterized as 'plodding.' I may often be maligned, but the fact remains that I play a usefully relaxing role in many a sentence." Signed: "semicolon."

Joyce's *Ulysses* passes out of copyright; John Kidd and Hans Walter Gabler battle over correct edition of the text

Paul Berman, ed., *Debating PC*

Francis Fukuyama, *The End of History and the Last Man*

Gerald Graff, *Beyond the Culture Wars*

Benno Schmidt Jr. announces resignation as president of Yale and becomes head of Chris Whittle's for-profit education company, the Edison Project

Henry Louis Gates Jr. writes that the Nation of Islam's *The Secret Relationship Between Blacks and Jews* is "the Bible of the new anti-Semitism"

NEH chair Lynne Cheney delivers report to Congress blasting U.S. professors for putting politics ahead of truth and objectivity

1992

William Telander gives Texas A&M $200,000 to research turning mercury into gold

Death of economist Friedrich von Hayek at ninety-two

Spike Lee teaches course on contemporary African-American cinema at Harvard

Long-fingernailed psychiatrist and cultural theorist Pierre-Félix Guattari dies August 29 at sixty-two

University of Maryland conference on "Genetic Factors in Crime" canceled after NIH withdraws funds

MOONIE U.

WITH A $26.9 MILLION DEBT AND ITS FACULTY ON strike, the University of Bridgeport finds salvation. The Professors World Peace Academy (PWPA), an academic affiliate of the Reverend Sun Myung Moon's Unification Church, offers the school $50.5 million in exchange for control of the board, the budget, and the hiring of top administrators. Despite faculty reservations and, in some cases, resignations, Bridgeport accepts the offer. By January 2000, the PWPA has pumped $105 million into the school and installed Neil A. Salonen, a Unification Church official, as university president.

THE BLOOM FACTORY

FAMED LITERARY CRITIC HAROLD BLOOM edits a series of "highbrow Cliffs Notes" for Chelsea House Publishers, reports *LF*'s Chris Goodrich. Some scholars decry the books as "sleazy," "terrible," and "an academic scam," claiming that Chelsea reproduced and even revised their essays without permission. Nowadays, Bloom addresses a more general audience in *How to Read and Why,* and the Chelsea books continue to be published.

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PLATO IN THE COURTROOM

FOLLOWING COLORADO'S HIGH-PROFILE GAY RIGHTS TRIAL, THE MOST *contentious issue, oddly enough, becomes the correct translation of* an ancient Greek word. In a courtroom rebuttal to the natural law theorist John Finnis, expert witness Martha Nussbaum argues that when Plato used the word *tolmêma* in referring to homosexual acts, the implication was not pejorative. But Finnis and legal theorist Robert George respond that Nussbaum has distorted the scholarly record and possibly perjured herself. As evidence, they cite the suspicious blob of white-out that appears in one of her affidavits.

DO ASK, DO TELL

AT ANTIOCH COLLEGE, CONSENSUAL SEX TAKES ON *a whole new meaning. Explains one Antioch feminist:* "If you want to take her blouse off, you have to ask. If you want to touch her breast, you have to ask. If you want to move your hand down to her genitals, you have to ask. If you want to put your finger inside her, you have to ask." Has Antioch dampened students' sexual spontaneity—or challenged them to ever more explicit, erotic pillow talk? Should words fail, *LF*'s Jack Hitt suggests the following lines attributed to John Donne: "License my roving hands, and let them go / Before, behind, between, above, below."

UC-Berkeley expels student Andrew Martinez, a.k.a. "Naked Guy," for lack of "proper attire"

Edward Said, *Culture and Imperialism*

Clinton abandons civil rights nominee Lani Guinier, calling her academic writings "very difficult to defend"

***Philosophy and Literature* inaugurates annual "Bad Writing Award"**

Dog Genome Initiative launched

Kary B. Mullis wins Nobel Prize for DNA-copying technique, then goes surfing "to wake up"

1993

***LF* prints full text of Camille Paglia's answering machine message**

Hunger strikers at UCLA demand Chicano studies department

University of Pennsylvania student charged with racial harassment for calling black female classmates "water buffalo"

At Kennesaw State, Newt Gingrich teaches a course designed by his political action committee

End of mandatory retirement at American universities

OFFENDED VANITY

LF'S WARREN ST. JOHN DEEMS EDWIN Mellen Press a vanity publisher capitalizing on the desperation of credential-hungry academics. St. John also finds that the Press's offshore adjunct, Mellen University, is little more than a diploma mill. After the exposé, Mellen chief Herbert Richardson, a former University of Toronto religion professor, accuses *LF* of libel and sues for $15 million. He loses. In September 1994, St. Michael's College, where Richardson holds tenure, dismisses him for "gross misconduct."

YOU GO, JUDY

BERKELEY GENDER THEORIST JUDITH BUTLER IS THE SUBJECT OF A LASCIVIOUS fanzine, *Judy!* In a telephone interview with *LF*'s Larissa MacFarquhar, the 'zine's languid editrix, Miss Spentyouth (a.k.a. Andrea Lawlor-Mariano, a University of Iowa undergraduate), wears only Chanel No. 5 and remarks that *Judy!* is a critique of "the whole diva thing" in queer theory. An issue later, Butler rejoins: "If the fanzine signals the eclipse of serious intellectual engagement with theoretical works by a thoroughly hallucinated speculation on the theorist's sexual practice, *Lingua Franca* reengages that anti-intellectual aggression whereby scholars are reduced to occasions for salacious conjecture rather than as writers of texts to be read and seriously debated."

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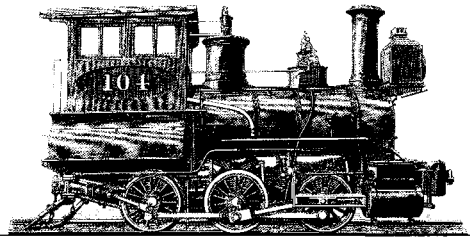
DO YOU YAHOO!?

DAVID FILO AND JERRY YANG, ENTERPRISING STANFORD GRADUATE students in electrical engineering, devise a cutting-edge method of procrastination: They set up a Web site featuring a list of links to their favorite Web pages. Dave and Jerry's Guide to the World Wide Web grows in popularity, and Filo and Yang eventually change its name to Yahoo! which they decide stands for "Yet Another Hierarchical Officious Oracle." Venture capital follows.



TEMPS "Я" US

LF'S PATRICIA KEAN ARGUES THAT IF FULL-TIME faculty make common cause with part-timers—leading the battle for benefits, better wages, and job security—everyone stands to benefit. But if full-timers and administrators continue to ignore the part-timers' problems, one former adjunct cautions, "the whole shape of the profession could change in ten years." At the time, 38 percent of American faculty members are part-timers. Six years later, 47 percent are.

Kurt Cobain commits suicide in Seattle; millions of plaid-clad college students mourn

Bennington College dismisses a quarter of its faculty in campuswide reorganization

American Psychological Association reports that "pseudo-memories" are possible

Oxford University Press finalizes "inclusive" edition of New Testament referring to God as "Father-Mother"

1994

Sven Birkerts, *The Gutenberg Elegies*

Charles Murray and Richard J. Herrnstein, *The Bell Curve*

Paul Gross and Norman Levitt, *Higher Superstition*

Christina Hoff Sommers, *Who Stole Feminism?*

C. Vann Woodward and John Hope Franklin protest Disney's plans for an American history theme park in Virginia

Khallid Abdul Muhammad, spokesman for Louis Farrakhan's Nation of Islam, causes uproar with anti-Semitic speeches on college campuses

Republican Revolution elevates Newt Gingrich, author of Ph.D. thesis on Belgium's colonial education policies

***LF* reports on Kosovo's underground Albanian university**

A MOST DANGEROUS METHOD

AT A CONFERENCE, UNIVERSITY OF WISCONSIN AT MILWAUKEE FEMINIST theorist Jane Gallop jokingly says that her sexual preference is "graduate students." Not long after, she stands accused of violating her university's policy against consensual amorous relationships between teachers and students. In her innovative classes, Gallop emphasizes the erotic aspects of pedagogy. But *LF*'s Margaret Talbot wonders: Between professor and student, how close is too close?

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BORDERS BALLOONING

GIANT SUPERSTORES STOCK THEIR shelves—producing an unlikely windfall for academic and small presses. The superstore boom portends a revolution in scholarly publishing. But by 1997, the boom appears to go bust: Superstores flood small publishers with returns of unsold merchandise.

JEFFRIES AGONISTES

AFTER A BITTER THREE-YEAR BATTLE, LEONARD JEFFRIES JR. RESIGNS AS CHAIRMAN of the black studies department at City College of New York. Jeffries's troubles began with a 1991 speech in which he asserted that "rich Jews" played a leading role in financing the slave trade; City University of New York stripped him of his chairmanship in 1992, prompting Jeffries to sue the school. In 1993, a federal jury found that CUNY had violated Jeffries's free speech rights, and a federal judge reinstated his chairmanship. But CUNY successfully appeals the decision.

University of Mississippi announces yearly Elvis conference to follow its yearly Faulkner conference

After one week, Shannon Faulkner withdraws as a cadet at The Citadel, citing stress and a hostile environment

Iowa economist Donald McCloskey begins taking female hormones and changes name to Deirdre

***LF* reports that Jim Henson's inspiration for Kermit the Frog was his childhood playmate, Kermit Scott—now a philosophy professor at Purdue**

Emeritus Princeton historian Bernard Lewis is fined one franc by French court after he questions whether Turkish massacres of Armenians constituted genocide

1995

Harvard Law's Alan Dershowitz offers *Penthouse* subscription to Harvard's Widener Library; he is a *Penthouse* columnist at the time

Moose shot on campus of University of Alaska at Anchorage after it tramples a man to death and frightens a psychology professor

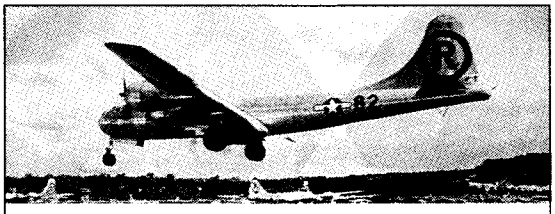
Elzbieta Ettinger, *Hannah Arendt/Martin Heidegger*

Harvey Klehr, et al., *The Secret World of American Communism*

Benjamin Barber, *Jihad vs. McWorld*

Association of Literary Critics and Scholars, a.k.a. the anti-MLA, holds first conference

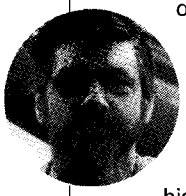
Harvard French professor Alice Jardine wins libel suit against *Le Figaro* after reporter assails her department



AN EXHIBIT BOMBS

ON THE FIFTIETH ANNIVERSARY OF HIROSHIMA, World War II veterans and eighty members of Congress protest a planned Smithsonian exhibit of the airplane that dropped the first atomic bomb. They complain that the exhibit text, which entertains the notion that there were nonmilitary reasons for dropping the bomb, denigrates the American war effort. In response, the Smithsonian scales back the exhibit to just the fuselage and a few neutral explanatory materials. Historians cry foul, calling it a capitulation to political pressure. "It is reminiscent of the McCarthy era," bemoans historian Robert K. Musil.

THANKS FOR THE CLARIFICATION, TED



IN A LETTER TO THE *NEW YORK TIMES*, THE UNABOMBER EXPLAINS his position: He has nothing against humanities professors, only scientists. "All the university people whom we have attacked have been specialists in technical fields," the famous fugitive writes. "We would not want anyone to think that we have any desire to hurt professors who study archaeology, history, literature, or harmless stuff like that." *LF*'s R.J. Lambrose reports that due to the Unabomber's suspiciously "high-powered vocabulary" and his use of words like "anomie," the FBI's sleuths have subpoenaed the subscription lists for the journal *Critical Sociology*.

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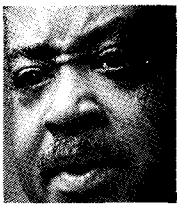
EX-CRITIC

WRITING IN *LF,* ONETIME "DIRTY HARRY OF LITERARY THEORY" FRANK Lentricchia confesses that he now rejects literary theory and exults in his "secret" self—which he calls "me-the-reader." "I believe that what is now called literary criticism is a form of xeroxing," he gibes. "Tell me your theory and I'll tell you in advance what you'll say about any work of literature, especially those you haven't read." Favoring undergraduates over graduate students, Lentricchia slips "happily underground in order to talk to people who, like me, need to read great literature just as much as they need to eat."

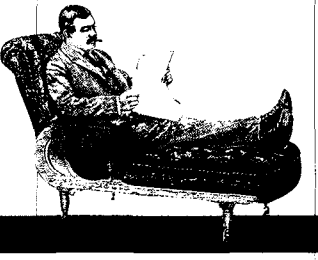
House Ethics Subcommittee concludes that Newt Gingrich's college courses were politically partisan

University of Connecticut at Storrs sociologist Noel A. Cazenave teaches controversial class called "White Racism"



Reverend Al Sharpton **joins Cornell students in protest against university's plans to phase out ethnic-based dormitories**

Library of Congress reschedules embattled Freud exhibit



At Whiskey Pete's Casino in Nevada, a conference/ festival hosts DJ Spooky and the Chance Band with special guest vocalist Jean Baudrillard

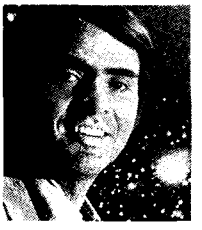
1996

Routledge slashes New York City staff from more than a hundred to less than forty

Auerbach family donates fifty mounted animal heads of African game to the University of Utah

Linguists debate Oakland school board decision to use ebonics in the classroom

Astronomer and debunker Carl Sagan dies



Bill Readings, *The University in Ruins*

Eric Hobsbawm, *The Age of Extremes: A History of the World, 1914–1991*

WILL TEACH FOR RESPECT

MORE THAN TWO HUNDRED HUMANITIES and social sciences graduate students strike at Yale. They vow to withhold their undergraduates' grades until Yale recognizes their union; they also call for a modest pay increase and a decrease in the number of students in sections. Undergrads are indignant. Some senior faculty revise their letters of recommendation. Administrators lock classroom doors. Five weeks later, the union gives up the strike. *LF*'s Emily Eakin discovers an institutional culture that treats graduate students with officious condescension. Unfortunately, Eakin concludes, "You can strike for respect, but it's nearly impossible to legislate it."

L'AFFAIRE SOKAL

THE TRENDY JOURNAL *SOCIAL TEXT* PUBLISHES NYU PHYSICS PROFESSOR Alan Sokal's deliberately awful article on quantum physics and postmodernism. Intended to mock the academic left's embrace of relativism and opaque jargon, Sokal's article links set theory to feminism and maintains that "a liberatory science cannot be complete without a profound revision of the canon of mathematics." Sokal reveals his stunt in the pages of *LF*—and winds up on the front page of the *New York Times*. *Social Text* editors Andrew Ross and Bruce Robbins admit that they initially found Sokal's article "a little hokey" but say they published it as an example of how scientists might broaden their horizons. In fall 2000, *LF* and the University of Nebraska Press publish a dossier of news articles and essays titled *The Sokal Hoax.*

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NIGHTMARE ON TWELFTH STREET

IN EARLY 1997, THE NEW SCHOOL FOR SOCIAL RESEARCH UNVEILS A plan to hire five new minority professors. Nonetheless, reports *LF*'s Eyal Press, a student "Mobilization" for racial diversity announces a hunger strike, decries the New School as "white supremacist," and demands curricular reform, affirmative action hires, and the tenuring of one particular visiting professor. The students condemn dissenting white professors as racist, and skeptical black students as Uncle Toms. The result, writes Press, is "not the vision of a diverse community where differences are allowed to flourish, but the vision of an artificial, homogeneous community where they are effaced."

Nathan Glazer, *We Are All Multiculturalists Now*

Cary Nelson, *Manifesto of a Tenured Radical*

Oliver Stone tells American Historical Association audience that he has come "to set the record straight"—gets warm reception

Stephen W. Hawking loses wager to two fellow physicists when he concedes that naked singularities could theoretically exist

$$$

NYU's Andrew Ross signs reported six-figure contract with Ballantine to write about Disney's town of Celebration, Florida

Ronald Dworkin, John Rawls, and others submit "Philosophers' Brief" to Supreme Court in support of right to assisted suicide

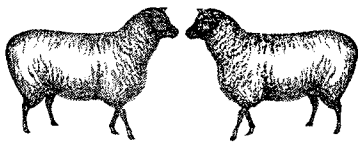
Fake Kurt Vonnegut MIT commencement speech circulates on the Internet: "Ladies and gentlemen of the class of '97: Wear sunscreen. If I could offer you only one tip for the future, sunscreen would be it"

Rising U.S. stock market helps colleges and universities achieve annual investment returns of more than 20 percent on average

1997

Court finds that Brown University violates gender equity in athletics programs

Scottish scientists announce cloning a sheep; President Clinton bars any federal support for efforts to clone human beings



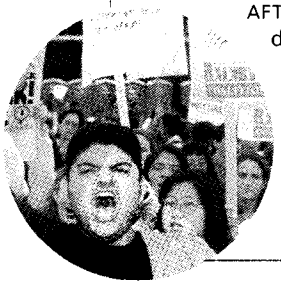
National Association of College Stores sues Cambridge University Press, Oxford University Press, and Addison Wesley Longman for "dual discounting," allegedly a form of price-fixing

N. Gregory Mankiw's *Principles of Economics* is released; he receives a $1.4 million advance, likely the largest ever for a textbook

$$$

Scholars, Artists, and Writers for Social Justice is formed to forge an alliance between academe and John Sweeney's AFL-CIO

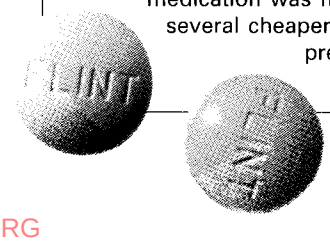
RACE AND THE REGENTS



AFTER TWELVE HOURS OF DEBATE, SEVERAL DISRUPTIONS BY demonstrators, and at least one bomb threat, the University of California regents voted to end affirmative action admissions on July 20, 1995. In 1997, a judge rejects the last appeals, and the ban goes into effect. Have the regents put a stop to unfair reverse discrimination—or to an important means of redress for deep-rooted racial inequality? *LF*'s Pamela Burdman chronicles California's struggle to implement the regents' decision.

DRUG TEST

TUFTS PROFESSOR SHELDON KRIMSKY RELEASES some alarming figures: About one-third of scientific journal articles have at least one author with a vested interest in his research. Meanwhile *LF*'s Daniel Zalewski reports that many corporate funders claim the right to suggest changes prior to a study's publication. In some cases, the consequences are quite serious: When UCSF pharmacologist Betty Dong discovered that her funder's profitable medication was no more effective than several cheaper knockoffs, the funder prevented her from publishing her results.



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THE PROFESSOR WHO KNEW TOO MUCH

WHEN COLBY SOCIOLOGY PROFESSOR Adam Weisberger asks his students to engage in "critical self-reflection," he thinks he's found a way of making Hegel, Marx, and Weber relevant to the real lives of students. But Weisberger's unusual teaching methods—his students' papers often read like intimate diaries—have cost him his job. After three female students complain of his invasive assignments and another accuses him of sexual harassment, Weisberger loses his tenure bid. In response, he sues Colby for sexual harassment.

I, DAVID STOLL

MIDDLEBURY COLLEGE ANTHROPOLOGIST DAVID STOLL CONTENDS that Mayan activist and Nobel Peace Prize winner Rigoberta Menchú misrepresented her past. According to Stoll, the best-selling memoir *I, Rigoberta Menchú* recounts tales of personal hardship and injustice that Menchú couldn't have known firsthand. Stoll also questions Menchú's alliance with Guatemala's Marxist-Leninist guerrilla movement. Menchú defender and Guatemalan novelist Arturo Arias responds: "Stoll would not care one whit if all the Mayas died of hunger, or if they disappeared off the map."

Business school professor Jeffrey Sonnenfeld resigns from Emory amid charges of petty vandalism, loses his appointment at Georgia Tech

A study in *American Demographics* shows that the more educated you are, the less sex you have

The October *LF* investigates the world of the big, buff, and brainy: academic bodybuilders

Stanley Fish and wife Jane Tompkins announce move from Duke to University of Illinois at Chicago

Princeton University Press buys the cover ad in *Publisher's Weekly* to promote its new fall titles

***MLA Style Manual* introduces guide to citing on-line sources**

Shaw University names Evander Holyfield a trustee

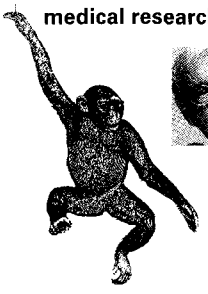
Bob Jones University threatens to arrest a gay alumnus if he ever again sets foot on campus

1998

Stanford holds first-ever U.S. academic conference on mumble master Bob Dylan's contribution to American culture

Eugene Genovese starts the Historical Society to challenge the "trendy" American Historical Association and Organization of American Historians

Self-described head chimpanzee of the House Newt Gingrich endorses proposal to create retirement sanctuaries for chimps who were used in medical research



E.O. Wilson, *Consilience: The Unity of Knowledge*

Daniel Kevles, *The Baltimore Case*

After more than two years, University of Oklahoma Law School still unable to fill its chair named for Anita Hill

Princeton hires controversial ethicist and animal rights proponent Peter Singer

***Caenorhabditis elegans,* a worm species, becomes the first multicellular organism to have its DNA sequenced**

NYU welcomes back Ken Starr as an adjunct professor of law

ALL ABOUT ELAINE

AS PRESIDENT OF THE MODERN LANGUAGE Association, Princeton's Elaine Showalter ruffles feathers. She suggests that graduate students "learn to write well enough to get paid for it." She admits in *Vogue,* "I've been trying to make the life of the mind coexist with the day at the mall." And in *Hystories,* she diagnoses chronic fatigue, Gulf War syndrome, and alien abduction as modern forms of hysteria.

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GOING PUBLIC

FLORIDA ATLANTIC UNIVERSITY LAUNCHES A novel doctoral program: "A Ph.D. in being a public intellectual? It sounds strange," writes Tom Scocca in *LF*. Apparently, FAU doesn't think so. The university recruits a clutch of real public intellectuals as visiting faculty and guest lecturers, among them K. Anthony Appiah, Cornel West, and the man who started it all with his book *The Last Intellectuals,* Russell Jacoby. "It's a natural for me," Jacoby tells *LF*.

THE DEPARTMENT THAT FELL TO EARTH

THE ENGLISH DEPARTMENT STANLEY FISH HELPED TO BUILD AT DUKE WAS, by all accounts, legendary: Fish's distinguished hires included Barbara Herrnstein Smith, Henry Louis Gates Jr., and Eve Kosofsky Sedgwick. But by 1999, most of the stars had fled, and Fish himself has left to become a dean at the University of Illinois at Chicago. *LF*'s David Yaffe finds that in a department built to meet the needs of its high-profile faculty, "there was just no there there."

$$$

Trinity College chemistry professor Leslie Craine awarded possibly the largest-ever sum in a tenure dispute, $12.7 million

Ian Hacking, *The Social Construction of What?*

Pet Shop Boys sue British philosopher Roger Scruton for libel

U.S. government halts one thousand research projects at the University of Illinois at Chicago, *citing violations* of federal human-subjects guidelines

Stanley Fish, *The Trouble with Principle*

Edward Said delivers keynote address to the Israeli Anthropological Association; *Commentary* magazine accuses Palestinian scholar of distorting his past

***Le Monde* publishes allegations that influential Hegelian Alexandre Kojève worked for KGB during the last thirty years of his life**

1999

Oxford University Press drops Contemporary Poets list; poets mourn

New campus magazines champion a postfeminist "return to modesty"

Jones International University becomes first accredited on-line university; draws fire from American Association of University Professors

Antonio Damasio, *The Feeling of What Happens: Body and Emotion in the Making of Consciousness*

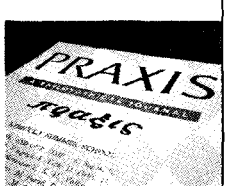
City University of New York anthropologist Ansley Hamid accused of using federal research funds to buy drugs for himself and research subjects; charges later dropped

French library staffers go on strike when new Bibliothèque Nationale computer system only "occasionally ceases to be broken"

MIT School of Science issues report admitting to pervasive sexual discrimination in grants, committee assignments, and salary decisions

PRAXIS MAKES IMPERFECT

IN THE 1960S, YUGOSLAVIA'S PRAXIS INTELlectuals argued for worker self-management and democratic socialism, attracting a glittering array of Western supporters to their summer seminars on the Adriatic. But as ethnic tensions mounted, many members of the group turned toward the politics of nationalism. The group's most prominent member, Mihailo Markovic, became the leading ideologue of Slobodan Milosevic's party. By 1994, the group's Western allies had broken off cooperation on the journal *Praxis International*. In September 1999, *LF*'s Laura Secor reports on the Praxis movement's rise and fall.



BACK TO BASICS

CAN A PUBLIC INSTITUTION PROVIDE A GOOD EDUCATION WHILE KEEPING its doors open to all? Back in 1993, *LF*'s William McGowan wondered whether a City University of New York plan to raise entrance requirements would transform "the Harvard of the poor" into a "smaller institution for white, middle-class students." But the 1993 plan was just the first of many controversial CUNY moves. In November 1999, CUNY decides to eliminate most remedial education by September 2001, forcing students who fail entrance exams to enroll in community colleges instead. One study estimates that the new policy could affect as many as 4,032 students.

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Stephen Greenblatt and Catherine Gallagher, *Practicing New Historicism*

Frank Kermode, *Shakesperare's Language*

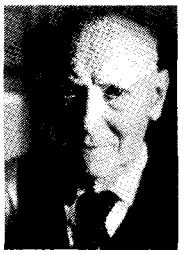
Slavoj Zizek, *The Fragile Absolute—or, Why Is the Christian Legacy Worth Fighting For?*

U.S. senator Bob Kerrey named president of New School University

2006 University of Texas releases working manuscript of Diane Middlebrook's biography of Anne Sexton

2007-8 Princeton releases ACLU records from the 1980s, containing information about Robert Bork's failed confirmation and the Iran-Contra hearings

2014 Library of Congress releases Warren J. Harding's letters to Carrie F. Phillips (a "secret love")



2025 University of Texas releases selected correspondence of Isaac Bashevis Singer

2039 University of Texas completes release of selected correspondence of James Agee

2000 **2010** **2020** **2030** **2040...**

President Clinton announces completion of the "working draft" DNA sequence of the human genome

2009 Library of Congress releases unpublished manuscripts and letters of Vladimir Nabokov

2020 Princeton releases T.S. Eliot–Emily Hale letters; Harvard releases papers of James Laughlin, founder of New Directions publishing; Library of Congress releases diaries of Princess Marie Bonaparte

2030 Harvard releases journals and personal correspondence of Marguerite Yourcenar

2117 Library of Congress opens last of its Sigmund Freud archives

CREDITS

1990: King Jr., Malcolm X: Associated Press; 1991: cowboy: Stock Montage, Inc.; scroll: Associated Press; 1992: von Hayek, Lee, Cheney, Rev. Moon: Associated Press; Gates Jr.: Harvard University/Jane Reed; Bloom: Katherine Newbegin; 1993: Paglia: Associated Press; Nussbaum: J. Shinan & J. Lindemann; Gingrich: Associated Press; 1994: Cobain: Reuters/Lee Celano/Archive Photos; Mickey Mouse, Farrakhan: Associated Press; Gallop: © Dick Blau; 1995: Elvis: Frank Driggs/Archive Photos; McCloskey: University of Chicago Press; Unabomber, Faulkner, Kermit, Jeffries, Enola Gay: Associated Press; 1996: Gingrich, Sharpton, Sagan: Associated Press; Dirty Harry: Archive Photos; Lentricchia: Duke University/Les Todd; Baudrillard: Verso; Ross, Sokal: New York University; 1997: Stone: Sidney Baldwin/Photofest; protest: Michael Schumann/SABA; New School: Melissa Cooperman; Hawking: Associated Press PBS/WNET; Vonnegut: Associated Press; 1998: Weisberger: Margaret Cain; Menchú: Rudi Blaha/AP/World Wide Photos; Showalter: Martin Metrick Photography; Dylan, Gingrich, Holyfield, Starr: Associated Press; 1999: Praxis: Michael Murphy; Pet Shop Boys: Corbis/Bettman; Said: Joe Pineiro/Columbia University; 2000 and Beyond: Kerry, Clinton, Bork, Nabokov: Associated Press; Eliot: Associated Press; Singer: Archive Photos; Yourcenar: Archive France/Archive Photos; Freud: Leo Baeck Institute/Archive Photos

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BIO HAZARD

THE PERILS OF WRITING A LIFE OF GORE VIDAL

BY **FRED KAPLAN**

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ONE MORE TIME I WAS to be observer, participant, and witness. In February 1999, my telephone rang. "I understand the book's finished. When do I see it?" Gore Vidal said to me.

"When it's published," I said. "When the rest of the world gets to see it, as it states in our agreement."

Long pause. "What agreement?"

My hand was already moving across my desk. In preparation for this day, I kept one of the many copies of the document in easy reach. "The agreement you signed on March 15, 1994, in which you stated that I would have complete access to and use of your unpublished letters and that you would not interfere in any way with publication of the book."

Another long pause. "What about the quotes from my letters?"

"What about them?"

"Well, they are my words. I should have some control over them. I should have at least the opportunity to correct them for misquotation."

"How can you check them for misquotation," I asked, "when you don't have the originals or copies of the originals to check them against?"

It seemed to me that Vidal's interest in checking the letters was a substitute for what he really desired—to read my manuscript before it was too late to influence what it said and how it said it. If a lengthy first-ever biography of me were about to be published, I'd be nervous, too. What inaccuracies, slanders, and misrepresentations might the book not broadcast? And I had previous experience with Gore that led me to believe that he felt about his unpublished letters much as he felt about his fiction in progress—they were drafts subject to revision, at least to the extent of eliminating stylistic infelicities. He did not think of letters written fifty years ago as historical documents.

"Don't you have your copy of the letter of agreement?" I asked.

"No! I don't remember such a letter."

"I have a copy in front of me now. Would you like me to read it to you?"

"Yes."

I read his own words back to him:

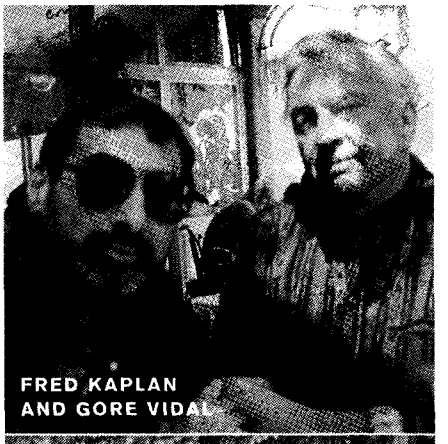
> After nine years, Walter Clemons, my authorized biographer, has presented almost nothing at all to me or to Little, Brown. Therefore, I should like to transfer the mandate to Fred Kaplan. I give him free range to quote from letters to and from me, interviews about me, critical studies—with the only proviso that print interviews be scrutinized for accuracy of quotation.... [At my archive in Wisconsin, he may see] whatever he wants to see, with the single reservation of one old diary that has been sealed. Naturally, Mr. Kaplan must have a free hand in writing his book, and I shall exert no control.

When I first received this document, I made two comments to myself and others: (1) Gore Vidal is genuinely libertarian in such matters, and (2) his style is unremittingly Vidalian, even in a letter that in the hands of most anyone else would be legalistic boilerplate.

I hoped that reminding him of our letter of agreement would end his attempt to see the manuscript, though my jaundiced sense of even the best of human natures cautioned me that it would not. Vidal's grandfather, like Mark Twain, had said that if there were any race other than the human, he would go join it. As Vidal's biographer, I knew that when he thought his interests were threatened, he would go to lengths to defend himself; it is human nature to be itself, to repeat the patterns of the past, for the inner angel to reveal its dark as well as its bright side.

THIS WAS a biography I had not sought to write, though I was excited by the opportunity. In January 1994, I had received a phone call from Vidal's literary executor, the novelist, poet, and biographer Jay Parini. Jay had given a favorable review to my life of Henry James and had praised my biographies of Thomas Carlyle and Charles Dickens. Your name, he said, has come up in a discussion I've had with Gore Vidal. He's looking for a biographer. The current one hasn't made any progress in almost nine years. Are you interested in discussing it with him? Vidal, then sixty-seven, wanted it done while he was still alive.

By April 1994, all the pieces had fallen into place. I agreed to put on the back burner a biography of Mark Twain I had already spent three years preparing. Before beginning work on the biography, I did ask him to put in writing the terms of our working relationship. I knew how difficult, if not impossible, my situation would be later if I didn't have a document to protect me. Writing the biography of a living writer, especially one who has a bite, is a dangerous undertaking for both subject and biographer. Vidal agreed to my conditions (which had been put to him in the form of requests), and he signed the letter of agreement. In September, I made the first of at least a dozen visits to the State Historical Society of Wisconsin in Madison, where Vidal had been depositing his papers since 1963. And in November 1994, I joined Vidal and his companion, Howard Austen, in Washington, D.C., the city of Vidal's childhood, where he was about to give a talk to the National Press Club.



FRED KAPLAN AND GORE VIDAL

HOWARD AUSTEN AND FRED KAPLAN

Before taking on this project, I had met Vidal once before, at a banquet hosted by the Cheltenham literary festival in England; Parini was there, too. When we met, Vidal seemed to know that I'd written a biography of Henry James, and a few complimentary words from him implied he might have read it. This pleased me. I'd been a casual Gore Vidal reader since adolescence, particularly of his essays, and I'd been intrigued by the autobiographical stories he had often related in his work: of his grandfather, the blind senator from

PREVIOUS PAGE FRED KAPLAN/ THIS PAGE FRED KAPLAN (2)

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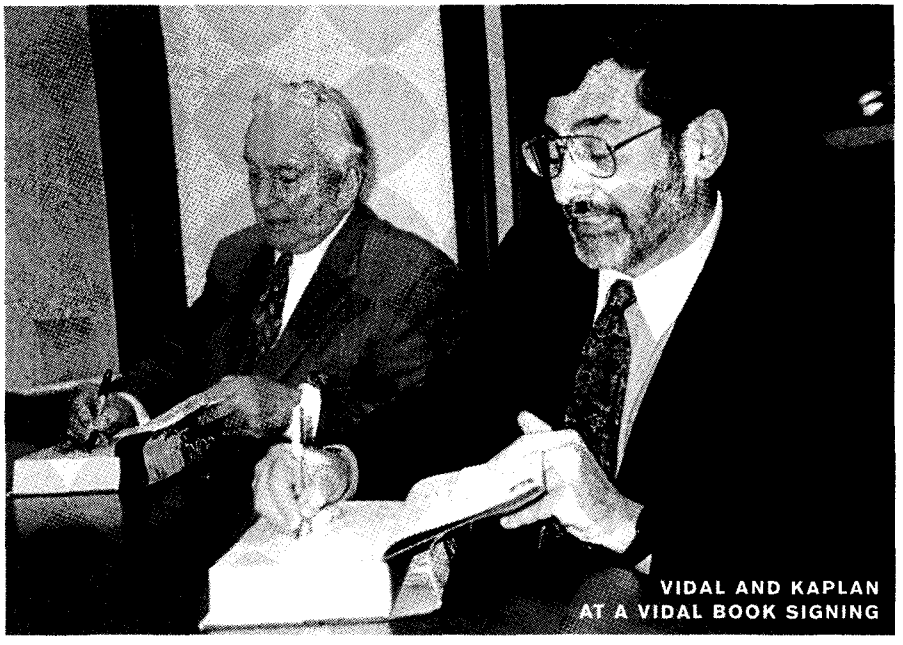
Oklahoma; of his father, the first director of air commerce in the Roosevelt administration; and of his own career as a writer and a public personality. He had traveled in high political circles during the Kennedy years and had run for Congress. His work as a television and Hollywood scriptwriter had made him a celebrity whose name appeared in gossip columns as well as book reviews. And as a writer who championed unorthodox views on sex and politics, he had done something that few serious literary artists ever had: created artistically and intellectually formidable best-sellers.

Department building, where his father had worked sixty years before.

In Washington, Vidal took me to the scenes of his childhood in a hired limousine. It was my first taste of his predilection for a first-class life, an advantage to a biographer of a living subject. At our final stop, Rock Creek Park Cemetery, Gore and Howard were shown the site they had chosen for their graves; together, the two men discussed their memorial stones. I witnessed with my signature the purchase agreement for the stones. I now had the opening for my book.



VIDAL AND KAPLAN AT A VIDAL BOOK SIGNING

JULIA KAPLAN

WRITING THE BIOGRAPHY OF A LIVING WRITER, ESPECIALLY ONE WHO HAS A BITE LIKE GORE VIDAL'S, IS A DANGEROUS UNDERTAKING.

I had found *Myra Breckinridge* scintillating and his history novels, particularly *Julian* and *Burr*, absorbing. Like many others, I had been riveted by some of his television appearances, especially his debates with William Buckley at the 1968 Democratic convention in Chicago.

When we met in Washington, the rapport between us was largely friendly, though I was surprised to learn that he was working on a memoir, which nobody had bothered to mention to me. He was putting the final touches on it in the Lincoln suite at the Willard Hotel, from whose windows he looked down on the Commerce

LITERARY subjects have often been complicit in their biographies. Samuel Johnson cooperated with James Boswell, Dickens with John Forster, and Carlyle with James Anthony Froude. Each assumed that his ego and accomplishments required posthumous reification. But Johnson, Dickens, and Carlyle all stipulated that the sacred stories not be written and published until they had departed this earthly scene. It apparently never dawned on any nineteenth-century literary celebrity that scriptural apotheosis would, like that of a Roman emperor, occur during his lifetime.

Vidal's pride, one of the leitmotifs of his life, frequently compared to that of Shakespeare's Coriolanus, required that a biography be published while he still lived. If Norman Mailer already had two or three versions of his life published or in process, Vidal argued, why should he not have at least one? My argument that he should follow the example of Mark Twain, who insisted that his biography not be published before his death, met firm resistance.

On a brilliant summer day in 1996, after two years of research, I walked from the piazza in Ravello down the long private road that leads to La Rondinaia, the villa on the Amalfi coast that Vidal bought in 1972. To the left, terraces of lemon trees and olive groves descended almost a thousand feet to the shoreline. To the far south, the outline of Salerno was visible twenty miles away. I was buzzed through three sets of gates. Everything was well tended, landscaped, classically Italian. Over a little rise, a large intensely blue swimming pool edged the boundary between the path and the view. Howard greeted me, and we went on to enjoy a day and a half of continual talk. The next day we both greeted Gore, lurching slightly with weight and jet lag as he walked to the house from the piazza; he was returning from America, where he had been performing a cameo in what turned out to be the forgettable movie *With Honors*.

Gore rested a short while. Our intense face-to-face sessions began the next morning. I had brought with me transcriptions of almost two thousand of his letters, some quite lengthy. I had also brought transcripts of my interviews with almost a hundred people, a number that would later increase by about fifty. Some were with celebrities. I haven't an ounce of hero worship in me, but as individual human facts, Paul Newman, Joanne Woodward, and Claire Bloom, Vidal's three closest celebrity friends, all proved likable and articulately intelligent, the latter two with excellent memories. Norman Mailer gave me three long sessions over the telephone: Because of his loss of hearing, he explained, an amplification device on the receiver would make him more responsive than he could be in person. A few people refused to talk, but many accomplished and creative people did, including Ned Rorem, Louis Auchincloss, and Don Bachardy, the fine portraitist who

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had lived for many decades with Christopher Isherwood. I got useful information from Gore's friends, former friends, and business associates and from people who despise him, such as Norman Podhoretz and William Buckley. Occasionally, someone who hardly knew him insisted on telling me at length about their close friendship.

Best of all, I had Vidal's self-revealing letters, and I had lots of questions. The tape recorder whirred. The machine didn't get shut off even at lunch, the formal meal of the day. With few breaks, this went on for almost a month. God, I said to myself, as the pile of tapes grew monstrously, how exhausting it will be and how long it will take to transcribe these. Vidal rarely seemed tired; talking about himself energized him, though occasionally he became irritable. On about the fifth day, when I asked whether a certain relationship had involved sex, he exploded: "Can't you get it through your head that these were commonplace, unimportant things, just sex! Nobody cared. Kaplan, you're never going to understand me and you're never going to understand our style of life! Everything to you is that damned bourgeois marriage model!"

He was genuinely furious. A pause.

"Maybe yes, maybe no. I don't think so," I said. "Do you want to take a break?"

He got up and went down the long corridor from his study to the *salonne,* as they call it. The house was spookily, almost ominously, quiet. Howard had a long, slightly withdrawn face, his usual expression when Gore is upset. A short while later we resumed as if nothing had happened.

FOLLOWING my lengthy visit to Ravello in the summer of 1996, a great deal happened. Vidal had what he described as two near-death experiences. He almost drowned when he fell into a Venetian canal in a rainstorm and he almost bled to death when he returned home after minor surgery. Meanwhile, I had been stabbed in an attempted robbery on the New York City subway. I had a number of meetings in New York with Gore and Howard and accompanied Vidal on a publicity tour from New York to Washington, D.C. In 1998, I saw Vidal publish a new novel, *The Smithsonian Institution.*

At the time Vidal called me in February 1999 and asked to see the entire manuscript, the biography was done, though the editing, copyediting, fact checking, and libel vetting were still in progress. Doubleday and I had decided to publish in October 1999, an unusually rapid schedule for such a long book. My conversation with Vidal ended with my position unchanged. Though I did not accede to his request that I provide him with a copy of the manuscript or even with a list of the quotations from his unpublished letters, I did agree to allow him to read the quotations from our oral interviews. I did this not because our agreement stated that I had to but because his desire to review them seemed reasonable to me. What if I had misheard him, or the tape had been garbled, or he had misspoken ? (The latter he didn't admit as a possibility, but I added that in my own mind.) After all, some of the interviews had been done at late, even alcoholic, hours and others in noisy places.

Early in March, I sent Vidal thirty single-spaced pages, showing him the quotes from our oral interviews that I had used in the book. Most of the changes he requested during a two-hour telephone conversation had nothing to do with transcription errors. They were stylistic: He wanted his oral comments to have the polish of his printed prose. I wanted to retain the flavor of his spontaneous talk; and when I checked the tapes, the transcriptions were accurate. We fought out the quotations one by one. I agreed to two or three changes that didn't affect either tenor or truth.

A FEW DAYS later, I heard from my agent, Georges Borchardt. "I got a call this morning from Marty Garbus," Borchardt said. "What's going on?"

"Who's Marty Garbus?" I asked.

Martin Garbus turned out to be renowned in New York legal and literary circles as an aggressive litigator specializing in First Amendment law. One of the reasons he's feared is because he's so expensive. If a client is willing to pay the thousand dollars an hour Garbus is said to get, you inevitably realize that the client might be willing to go to other extremes as well. Vidal, Borchardt explained, had hired Garbus to represent his demand that I turn over to him a copy of the entire manuscript so that he could check the quotations from his letters for accuracy. He was attempting to enforce the demand he had made in our February conversation, though this demand was now being represented only as a desire to check the quotations. He did not want to be sued for libel, he argued, if I had misquoted one of his letters.

The demand worried me. Since he had nothing to check the quotes against unless I supplied him with copies of his original letters (and even then I doubted he would ever do the tedious, time-consuming work), the issue of accurate quotation seemed a wedge to pry open the manuscript to his scrutiny. If I gave him only my quotations from his letters, he would attempt to guess from that whether the narrative was friendly

VIDAL AT 1976 ACADEMY AWARDS

CORBIS/BETTMANN-UPI

or unfriendly, and he would again demand the entire manuscript.

Yes, Jay Parini said when I talked to him: He wants to see the manuscript while there's still time for him to demand changes.

SOON the 1994 letter of agreement was in the hands of Garbus and of the Doubleday lawyer. To my relief, Doubleday was completely supportive. But things soon got worse. The dark angel had appeared.

"Dear Fred," Gore faxed me on March 30. We had misunderstood each other on several points, he wrote. First and most important, he and I had no contract. He had thought that Walter Clemons's original 1984 contract had applied to me, and he had never meant to give me the right

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to print his letters without his consent.

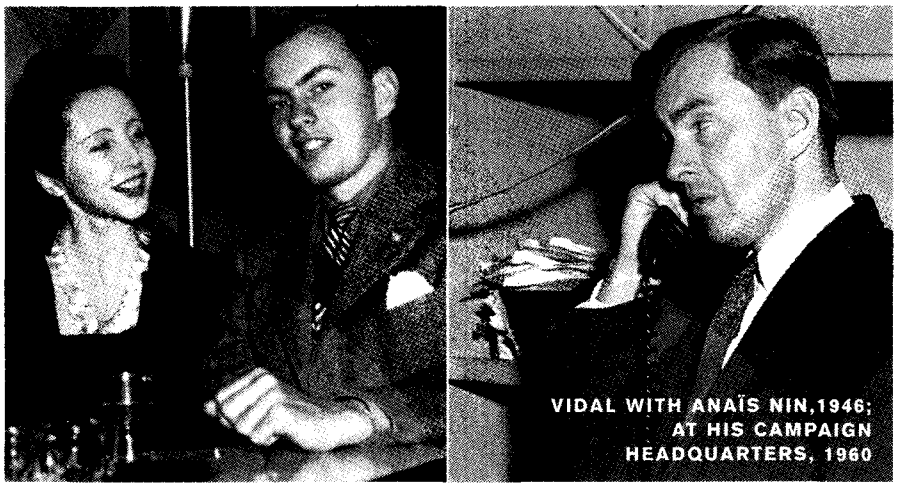
I seriously doubted that such a contract existed, but if it did, it was irrelevant. This was nothing more than a rhetorical ploy, since Vidal was much too experienced in litigation to assume contracts with one party would transfer automatically to another.

Gore's fax continued: Since I was so concerned about my "presumably awesome reputation as a lit[erary] biographer," he thought he should "point out" that I had nominated myself, via Jay Parini, as a replacement for Clemons. And on that occasion, Gore had unfortunately misheard my name. He had heard Parini say *Justin* Kaplan, whose life of Walt Whitman Gore admired. Only later, when he sent a message to Justin Kaplan asking for an update on the biography's progress, did he discover his error. "As I have become fond of you, in your megalomaniacal way, I shall not rub it in anymore," Gore concluded. "BOTTOM LINE: I must pass on all letters by me in bio."

It seemed surreal to be engaged in the kind of exchange I had written about so often in the biography. In the opinion of Doubleday's lawyer and of my agent, the letters between Vidal and myself in March 1994 were letters of agreement that had the force of a contract. Our answer was unequivocal: We would not provide quotes from the letters for his approval, let alone a copy of the manuscript. He had put in writing that I would have "free range" to quote from his letters. To say now that he had never intended to allow me to quote from any of his letters without his agreement was untenable.

Curious about one of Vidal's more memorable claims in his fax, I called Justin Kaplan. "It's been reported to me," I said to him after the initial pleasantries, "that at one time Vidal asked you about your undertaking his biography. Can you confirm that?"

"No," Justin said. "Where did you get that idea?"



VIDAL WITH ANAÏS NIN, 1946; AT HIS CAMPAIGN HEADQUARTERS, 1960

VIDAL ROARED, "YOU'RE NEVER GOING TO UNDERSTAND! EVERYTHING TO YOU IS THAT DAMNED BOURGEOIS MARRIAGE MODEL!"

Justin's wife, the novelist Anne Bernays, was on an extension line. "It never happened," she said. "I'd remember. It's not something I'd forget."

"I'm also fond of *you* and your megalomaniacal ways," I wrote to Gore the next day. "Alas, your fax of yesterday is mean and meretricious. And it's filled with false statements. Also, it's an attempt to go back on your word."

Copies of all our faxes were now going to Martin Garbus. "The conditions were total non-interference at every stage," I faxed Gore. "You gave me in writing permission in advance to quote from your letters.... You know very well that a bio that is perceived as having been influenced by its subject loses its credibility. So the bio that I've written and our original agreement stands. It's still not too late to relegate this to a 'family' quarrel, a blowup that passes without serious concrete consequences."

"Dear Fred," Gore responded. "Conflicting memories." Of course he had given me the right to quote from his letters, he explained. But he had assumed that since he owned the copyright in the letters, he and I would review them carefully together. He also noted that our earlier letter of agreement had made no mention of quotations from his published works, and he suggested that I would have to pay for any quotes I used—if he granted permission. "If you want to salvage the project," Gore wrote, "I suggest we need a proper contract for both bio and letters. Unless you have been deeply creative, I can see no reason for demur."

Well, I had been deeply creative, I thought, but not in the sense he meant. Again, if I allowed him to see the quotes from the letters, I believed that he would then most likely demand to see the context for the quotes. Even if he only haggled over the quotes, that would take time and possibly cause delay. He was capable of being ruthless when he felt his interests were at stake. And I had lost confidence in his trustworthiness. Besides, I don't like being threatened.

As his biographer, I knew of many instances when Vidal had shown some of the same tendencies he was showing now. I was not surprised. I was disappointed, though not terribly: The dark angel was part of his fascination to me and to others; it also was a driving element in his creative life. Though it was not terribly pleasant to engage with, it was interesting to observe. He had the implacability to cut off relations with his mother and to remain aloof despite her efforts at reconciliation and her illnesses in old age. He had the force of self-assertion to carry on lifelong feuds with enemies like Buckley, Mailer, and Truman Capote. He had the imagination, the cunning, and the moral flexibility to manipulate publishers, friends, and lovers to serve his profit and pride. He had fired his longtime editor and close friend, Jason Epstein, because his demand for control and his pride outweighed other considerations. Why should he not be outraged at his chosen biographer resisting his demands? It was all part of the life I had signed on to write.

WISCONSIN CENTER FOR FILM AND THEATER RESEARCH; CORBIS/BETTEMAN-UPI

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I answered his letter at length, not that I thought it would do any good. "I don't know what your agreement was with Clemons; it's not relevant anyway. And you certainly in the end got a bad deal there. I would not have undertaken to write your biography on any other terms than the ones we agreed on. No amount of reconstructive memories on your part or pressure that you bring to bear will change the facts."

The dispute was now in the hands of the lawyers. On April 7, 1999, Garbus faxed to say Vidal believed that any inaccuracies in the quotes from the oral interviews would make all concerned into objects of ridicule. Apparently, he didn't know that Vidal had already seen these quotes and we had long ago resolved that issue. It was the letters and the manuscript that were at issue now. Vidal doesn't want the letters misquoted, Garbus went on, and Garbus had a counterproposal he wanted to deliver in person. The meeting would be confidential, without prejudice to anyone.

AUSTEN AND VIDAL AT CEMETERY

In consultation with my publisher's lawyer, Borchardt and I declined. We had not made any proposal, so how entertain a counterproposal? Time was on our side. The book would soon be going to press. Vidal had dropped any demand that I pay for quotations from his published works. Only the demand to see the quotations from his unpublished letters remained. I floated the idea that if Vidal would sign a statement effectively putting an end to his interference, I might agree to his seeing the quotations from the letters. At the end of April, the lawyers composed an agreement. It stated that "whereas Vidal wishes to know what quotations from his letters appear in the Manuscript and to read those quotations, *and has agreed and continues to agree* not to exert or attempt to exert directly or indirectly any control over the selection and the content of those quotations or over the writing, editing or publication of the Manuscript, and whereas Kaplan wishes to honor Vidal's wish, now therefore it is agreed" that "Kaplan will within fourteen days of this Agreement submit to Vidal's attorney...all substantial quotations from any letters by Vidal that appear in the Manuscript.... The parties further recognize that this Agreement does not create any cause of action in Vidal for any breach of the Agreement.... Vidal will not seek further access to the Manuscript or to any of the other papers or documents." In essence, Vidal could see the quotes—but that would be the end of it. He would have no right to comment about them, let alone request changes. Doubleday and I could happily live with this. Gore signed this agreement on May 11.

Two weeks later I got a call. It was again the master's voice. We had had no conversations for some time. "The quotations from the letters look all right to me," he said, "except for two." This was out of many hundreds. He requested that I change them, which, of course, the legal agreement he had just signed gave him no right to do. In fact, it prohibited him from attempting "to exert directly or indirectly any control over the selection and the content of those quotations." He gave me his reasons. I said that I'd think about it. Both quotations referred to minor incidents in which he had spoken harshly of someone, though not by name, one of them the former mayor of his Italian village. The Doubleday lawyer had not thought either instance actionable. In one case, I let the quotation stand. In the other, I excised a few words. It was on a peripheral matter, and the few words made no difference.

During my years of working with Vidal and immersing myself in his world, I had become fond of him. I know him as well as anyone does except Howard and better than most do. I understood that, as contrary to fact and as unpleasant as much of it was, Vidal undoubtedly believed and felt everything he claimed at the time he said it. Making one concession seemed a small courtesy.

In June, Howard called. I had sent two copies of the bound galleys overnight to Italy. "I love the book," Howard said. "I don't know how you did it. As I read, I kept going to Gore and telling him, 'This is wonderful.' He kept saying, 'Really?'"

A few weeks later, I asked a good friend of Vidal's whether or not Gore had read the book yet. The friend responded, "He says no, but he's suspiciously familiar with some of the details, such as what the book says on page 494 and on page 612. So he's probably reading it in bed at night under his covers with a flashlight." Once again, all seemed reasonably well between us.

DURING THE years I spent researching Vidal's life, I had kept notes of all the exchanges and events surrounding his attempt to control the biography. As the publication date of my book neared, I realized how well those efforts exemplified its various themes. The story of Vidal and me seemed to make an interesting, not to say humorous, postscript to the biography, and I began to think about writing an article about Vidal, myself, and the craft of biography. In August 1999, I outlined a draft of such a piece and sent it to *The New Yorker*.

AT ROCK CREEK PARK CEMETERY, I WITNESSED WITH MY SIGNATURE GORE AND HOWARD'S PURCHASE OF THEIR MEMORIAL STONES.

In October 1999, a few weeks before publication of the book, Jay Parini called to express his concern that I might publish an account of Vidal's attempts to exert control over my book. I explained that I had indeed shown such a piece to a *New Yorker* editor for a preliminary opinion of a very early draft. How had he—Jay—learned about it, I asked? A friend of his at *The New Yorker*, Jay responded, had called him and had also called Gore and read to each a few selected sentences. Vidal, who lives in dread of the *New York Post*'s Page Six gossip column, feared that my account would appear there, as he told me when I called him. He was upset. I

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offered to fax him a copy. No, he said, I don't want to read it, I just want it to go away. OK, I said, I'll withdraw it. The book will appear in a few weeks. There may be enough flak to deal with then. He agreed, though the excellent prepublication reviews heartened him and elicited his enthusiasm.

That enthusiasm disappeared when *The New York Times* reviewer called Vidal "a valuable writer but a minor one." *The New York Times*—his nemesis since *The City and the Pillar*—"is doing its usual attack," he said in a phone call to me, and he wrote to the *Book Review* to protest. To my shock and disgust, his letter turned out to be an attempt to distance himself from the biography, and in it Vidal made self-aggrandizing and untrue claims. "Contrary to your reviewer's statement that I 'sought out Kaplan (not the reverse)' to write my biography, the 'reverse,' of course, is the reality. First, after a certain age, one fights *off* biographers; second, how could I seek out someone I had never heard of? It was Jay Parini who introduced me to Kaplan as a good replacement for a departed biographer. Kaplan was eager; and so, somewhat absently, I passed the torch—under the impression that he was the estimable Justin. Later, I discovered he was not. Later, over the years, I was to read how Kaplan had laid down stern ground rules, etc. These led to misunderstandings. Finally, I must now confess, to my shame, I have never read a book by Kaplan, including *Gore Vidal*, but I have heard some good things of each." Our relationship, which had been warm, and then, through recent events, tense, had now become antagonistic.

A few weeks later, my wife, Rhoda Weyr, who is a literary agent of long standing and of course had scrutinized every aspect of my dealings, responded to Vidal's letter in the same forum: "Whether by design or wishful thinking, Vidal has misrepresented the facts concerning his role in the origins of *Gore Vidal: A Biography*.... Vidal's literary executor suggested Fred Kaplan to Vidal, as no one else was writing the biography Vidal wanted published in his lifetime, and Vidal instructed him to contact Kaplan.... Vidal agreed in writing to all the conditions Kaplan requested.... It is, of course, impossible to know the truth as to whether he ever read any of Kaplan's previous biographies or other works; however, he frequently spoke to interviewers, friends (of his), his own agent, in public forums and to me about his admiration for Kaplan's biography of James. One or the other position is false."

Two weeks later, Parini weighed in in the *Times*: Yes, *he* had recommended me to Vidal. Parini, of course, had been present when Vidal and I met at Cheltenham, and he himself had spoken to me of Gore's praise of the Henry James biography.

The best coda came shortly thereafter from Justin Kaplan. "Dear Fred," he faxed me in early February, "How about you and I writing a biography of Jay Parini?"

LIVING SUBJECTS are challenges for any biographer, and even the enticement of tackling Jay Parini with such an eminent co-author probably could not induce me to take on such a project again. There are long-dead authors, like Mark Twain, who are still vividly alive and well worth writing about. But never say never.

I don't for a moment regret having undertaken my life of Vidal. I learned a great deal. Immersing oneself in the complexities of someone else's life is an unparalleled opportunity to enlarge the person one has been up to that point. Writing a life is somewhat like reading a novel: Where else but in the novel of Vidal's life could I have experienced in fresh and evocative specificity the world of St. Alban's School in the late 1930s; the newsreel-like events of his political childhood in Washington; the dust of Los Alamos and the ambitions at Exeter in the early 1940s; the boredom in the U.S. Army in Alaska in World War II; Hollywood in the later 1940s and through the 1950s; the excitement of New York when World War II was finally over; and the special life of gay men in America from the 1940s to the 1990s—not to mention the shaping of a major modern literary career; the challenge of aligning my subject's politics with his personality and his sexuality; and the opportunity to see his life as best I could both through his eyes and through my own?

In all this, I have had the experience of witnessing and participating in more than most biographers ever dream of—or perhaps would ever wish to.

Fred Kaplan is Distinguished Professor of English at Queens College and the CUNY Graduate Center.

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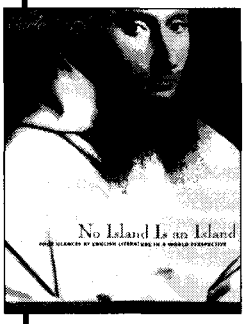

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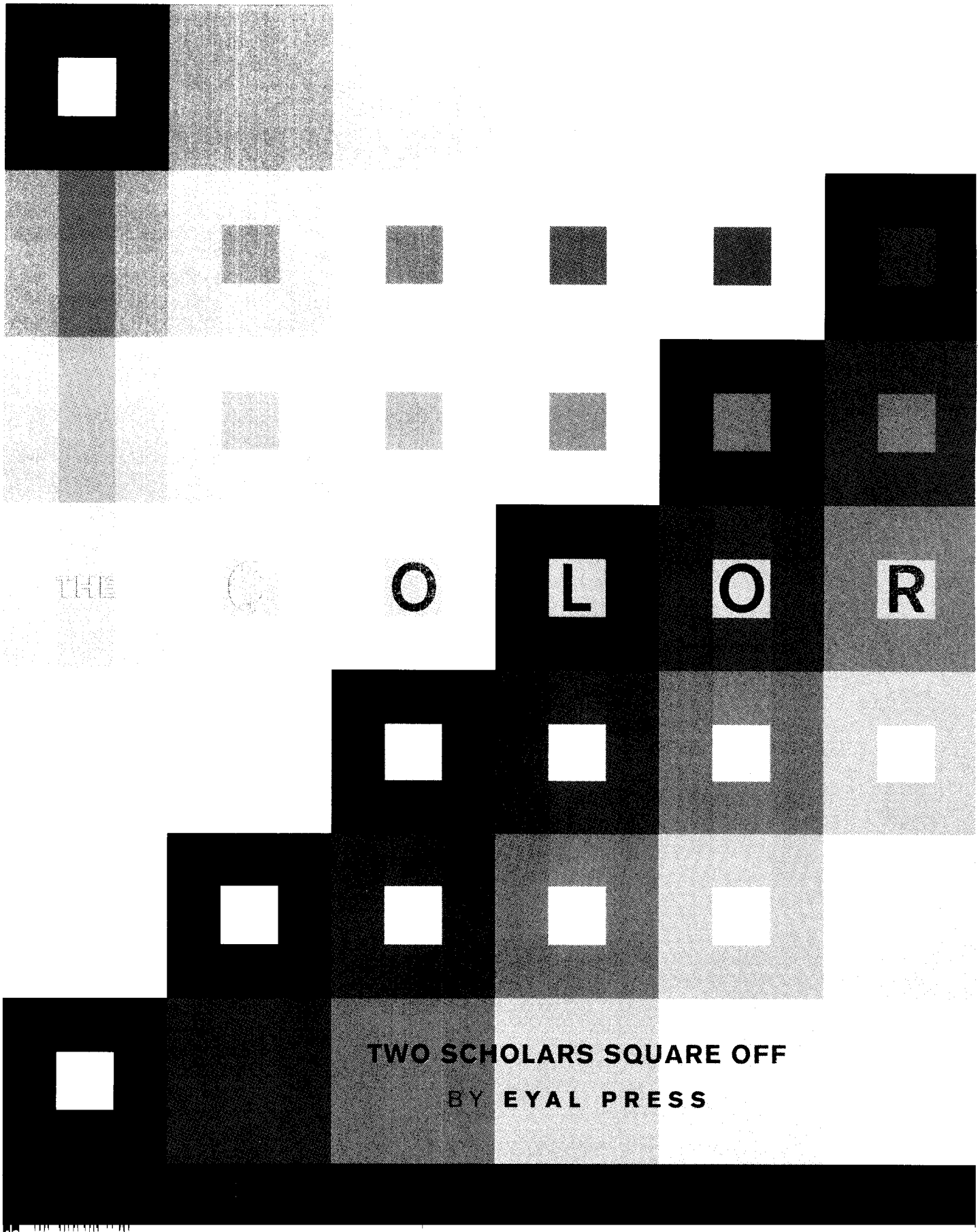

TWO SCHOLARS SQUARE OFF

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EARLY LAST YEA[R] [H]UNDRED PEOPLE CRAMMED into a third-floo[r] co[n]f[e]r[e]nce room at the Open Society Institute in Manhattan to hear Professors David [C]ole debate the issues of race, crime, and justice. The debate w[as] [t]imed to the publication of Cole's book *No Equal Justice* (New [Y]ork: The New Press), a critique of the racial inequities in the legal system. What left th[e] [a]udience buzzing, however, was a less fortunate coincidence: Three weeks earlier, [f]our New York City police officers fired forty-one bullets at an unarmed West Africa[n] [i]mmigrant, Amadou Diallo, while he was standing in the vestibule of his Bron[x] [a]partment building.

The killing of Diallo, and the protests over police misconduct, have made the role of race in the [c]riminal justice system one of America's most volatile social issues. Cities across the country have watched crime drop dramatically in recent years—and seen prison populations swell dramatically. At the same time, practices such as racial profiling and [s]top-and-frisk policing have raised some unsettling questions: Has the reduction in crime come at too great a cost in liberty? And to what degree does race determine who gets stopped?

To a great degree, [A]merica is administering a criminal justice system that is deeply unfair [n]ot because it is intentionally being unfair," he declared at the start of the debate. [T]he problem, however, the central issue is not, as many critics would have it, [r]acial bias. After all, most courts have, in recent decades, banned the [u]se of race in legal proceedings. Rather, there is a deeper and more insidious p[r]oblem: Our rights are all formally equal on their surface, but their deep[e]r reality," said Cole, a soft-spoken man whose calm, measured [d]elivery belied the force of his arguments. Thus, although the Constitution bars [d]iscrimination against people on the basis of race, he explained, the courts have vastly [g]iven police discretion to stop and arrest virtually anyone they please. [T]he courts grant police such sweeping discretionary power, Cole [w]rote in *No Equal Justice*—one of the most unsparing, and

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lavishly praised books on the criminal justice system to appear in recent memory—only because the burdens fall almost exclusively on impoverished and minority communities.

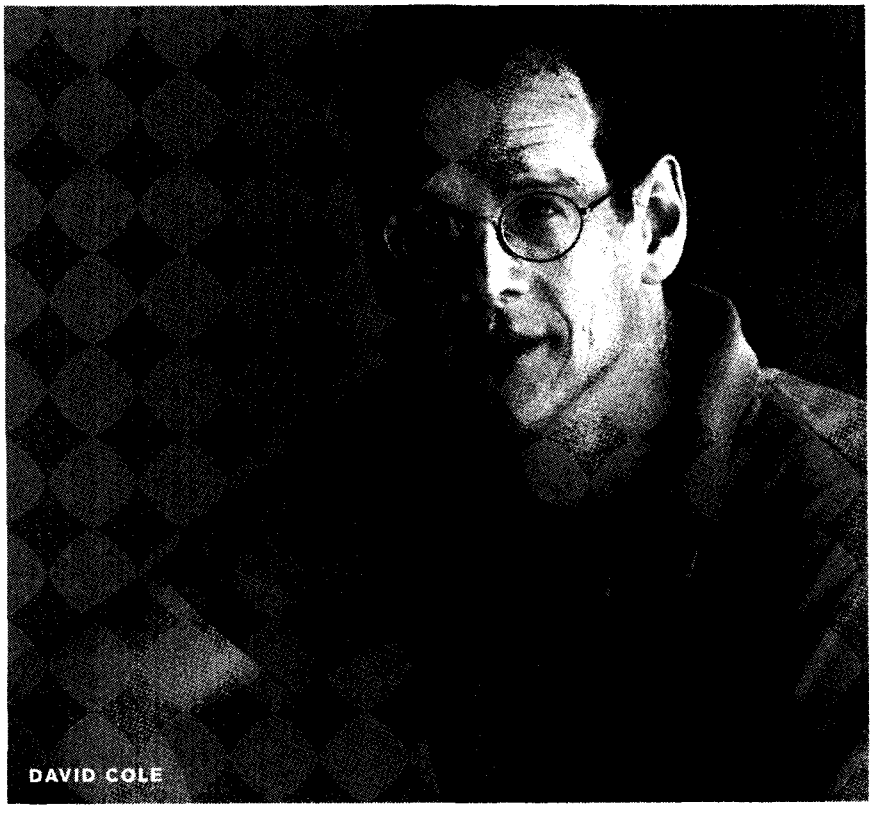
But has cracking down on crime been uniformly damaging to these communities? Hardly, countered Cole's debating opponent, Randall Kennedy. "When we talk about inequality in the administration of criminal justice, many people think immediately—and often exclusively—of the black suspect, the black defendant, the black convict," said Kennedy. "There is one actor, however, that is often quite marginalized...and that was marginalized in Professor Cole's opening statement." He paused. "That actor is the black victim."

Historically, Kennedy observed, African Americans have suffered as much or more from the *under*enforcement of the law—that is, the refusal of authorities to punish those who victimize blacks—as from its overenforcement. It's a point Kennedy stresses in his own critically acclaimed book, *Race, Crime, and the Law* (Vintage, 1997), and one he believes should inform any assessment of recent efforts to clamp down on inner-city violence. Kennedy, who is African American, points out that many people in the black community have long complained about inadequate police protection. "Police brutality is of course a terrible thing," he said in the debate with Cole, "but blacks at every income level are also more likely to be murdered, raped, burgled, assaulted." And because the vast majority of crime is intraracial—that is, either white on white or black on black—policies that disproportionately *burden* black offenders disproportionately *benefit* black victims, leading to a paradox. "If you put the question of black victimization at the center," Kennedy explained, "protecting minority communities from crime may mean putting more minority criminals in jail." The room fell silent.

Cole and Kennedy are longtime sparring partners who have debated these issues both in print and in person and who seem to relish their confrontations. Ironically, however, the two law professors are in many ways kindred spirits. Both share a deep belief that racial disparities remain far too common. Both are public intellectuals who write as frequently in popular as in academic venues, and their views have shaped not only the scholarly debate but also the decisions of courts and legislatures.

Where they differ is in weighing liberty against security to determine which actors, and which rights, are in greatest need of protection. To Cole, the fact that over one million African Americans are today in prison (seven times the incarceration rate for whites), and that minorities are routinely stopped and arrested under dubious pretexts, shows that we have adopted a set of punitive policies that would never be accepted were they evenly administered. But as Kennedy sees it, our central concern should be the treatment not of minority suspects but of their victims. These differences have led Cole and Kennedy to quarrel over everything from the impact of the drug war to the legal standards courts

"WE ARE ADMINISTERING A CRIMINAL JUSTICE SYSTEM THAT IS DEEPLY UNFAIR AND THAT INDEED DEPENDS ON BEING UNFAIR," SAYS COLE.



DAVID COLE

should use to redress discrimination—and have produced a dialogue of unusual depth between two highly provocative scholars.

COLE AND Kennedy have known each other since the early 1980s, when they were classmates at Yale Law School, where Cole says he spent three years thinking he would become anything but a law professor.

"Law was not my calling," Cole confessed as we sat down for lunch in a faculty lounge at the Georgetown Law Center, where he now teaches. As an undergraduate at Yale, says Cole, "Forget contracts—I took Keats and Shelley. I took a yearlong course on Freud and spent much of my time writing film and music criticism for the *Yale Daily News*. I was planning to be a writer or a critic, not a law professor."

After completing his undergraduate degree in literature, Cole also seriously considered taking a job in the financial world. "Back in high school I'd kind of gotten obsessed with the stock market," he recalls, chuckling. "I had this high school friend

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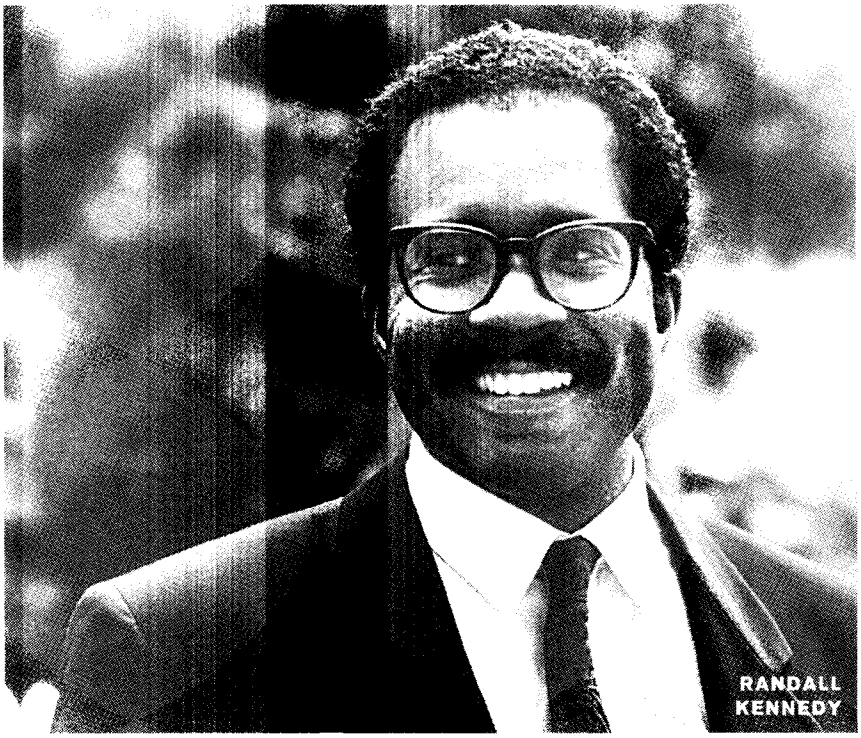
who was an options trader in Chicago. He offered me a job, and I thought, Why not? I'll go do that and freelance on the side."

"If I'd have taken the job, I'd be a multi-multi-millionaire by now."

What changed Cole's life—and sparked his interest not only in the law but in issues of civil rights and equality—was a summer internship at the New York–based Center for Constitutional Rights (CCR), a progressive nonprofit that specializes in human rights litigation. "That politicized me more than anything else," he said. "It was a very radical place.... I was one of the only white males there, and I started working on all these international human rights cases."

After landing a paid job at CCR, Cole got to know the legendary William Kunstler, the wild-haired radical attorney with whom he worked on the famous 1990 Supreme Court flag-burning case, *United States* v. *Eichman*. Though Kunstler insisted on arguing the case, it was Cole, who had not yet turned thirty, who wrote the briefs that convinced the Court to overturn the


RANDALL KENNEDY

SAYS KENNEDY, "PROTECT COMM[illegible]
MAY MEAN PUTTING MORE MINAL [illegible]

1989 Flag Protection Act. His work on this case landed him a laudatory profile in the *New York Times* At the Bar column and prompted an opposing lawyer from the solicitor general's office to comment that Cole's brief was the best he'd ever read.

With his curly brown hair, boyish face, and casual attire, Cole still does not look the part of the typical law professor. He is tall and slender, with the long arms and lanky frame of a swimmer (a sport he lettered in as an undergraduate), and he has a distinctly humble manner. You would never know, from meeting him, that Cole is not only a prolific scholar, having published two books and dozens of prominent law review articles, but also one of the nation's preeminent civil rights attorneys. During the past decade, he has litigated a dizzying array of high-profile cases, from *Finley* v. *National Endowment for the Arts,* where he defended the four artists accused of violating the NEA's "decency" standard, to *Massachusetts* v. *Secretary of Health and Human Services,* where he helped strike down a regulation prohibiting federally funded clinics from counseling women about abortion, to *American-Arab Anti-Discrimination Committee* v. *Reno,* one of numerous cases where Cole has defended Arab immigrants against controversial antiterrorism laws that curtail civil liberties. Somehow, Cole also manages to write a column for *Legal Times,* serve as the legal affairs correspondent for *The Nation,* and speak regularly on National Public Radio. After lunch, as we approached his fourth-floor office, a narrow alcove submerged in a sea of documents from the various cases he was litigating, I asked Cole how he managed to keep everything together. "I don't spend much time filing," he quipped.

IF COLE'S schedule was fast-paced before, it became a veritable whirlwind with the publication of *No Equal Justice.* "There was a long stretch—a good two months after the book came out—where I was doing at least one radio show a *day* on the book," he says. "It was just unbelievable."

It was, however, hardly surprising. *No Equal Justice* appeared in February 1999, the month of the Diallo shooting and two months before the start of the Abner Louima trial, a case involving a Haitian man who was brutally beaten and sodomized with a toilet plunger by two New York City police officers. Around the same time, the New Jersey attorney general's office released a report acknowledging that state troopers engaged in racial profiling, a problem that has surfaced in Maryland, Florida, and numerous other states. A few months later, Columbia University's Center for Violence Research & Prevention, in conjunction with the New York attorney general, published a study showing that over a fifteen-month period in New York City, blacks were 2.1 times more likely (and Hispanics 1.7 times more likely) to be stopped and frisked than whites—even when controlling for higher crime rates in minority neighborhoods.

The flood of bad news proved perversely beneficial to Cole. "When my book came out," he explained, "New York was being touted everywhere as the great crime miracle. Broken windows"—the theory

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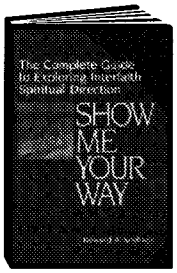

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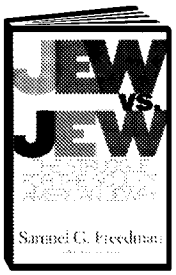

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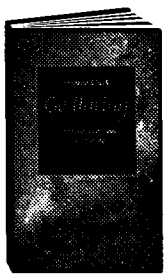

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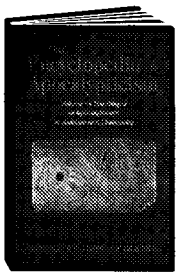

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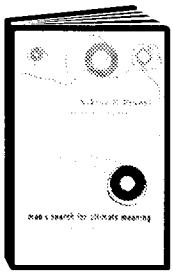

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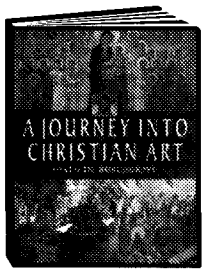

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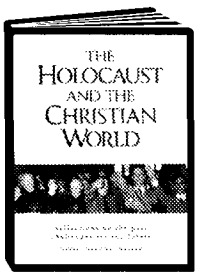

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that arresting petty criminals for low-level quality-of-life infractions would have a large deterrent effect on serious crime—"had supposedly solved the crime problem. Now I think the common perception is that the New York approach has come at a tremendous cost in terms of rights."

"Similarly with racial profiling," added Cole. "Five years ago, I don't think anybody outside the black community was conscious of the phenomenon of 'driving while black.' Today, the latest polls are finding that 80 percent of Americans believe racial profiling is wrong, and around 60 percent believe it is widespread.... There has been a tremendous sea change in a relatively short period of time."

What there has not been, Cole believes, is an understanding of how racial inequality is structurally ingrained in the legal system. "The root of the problem," wrote Brent Staples in a March 12 *New York Times* op-ed, "is the tendency of white police officers—and white Americans generally—to associate blackness with criminality in the absence of any substantiating evidence." It's a common assessment, yet a misguided one, Cole believes. The real root of the problem, he argues, is less the prejudice of police officers than a series of little-noted Supreme Court rulings that have eviscerated the Fourth Amendment (which protects citizens from unreasonable search and seizure) and empowered the police to arrest people without any objective, individualized basis for suspicion.

In *Whren* v. *United States* (1996), for example, Cole notes that the Supreme Court granted officers the right to use any traffic violation as a pretext for stopping a driver even if they have no intention of enforcing a traffic law. In a 1991 decision, the Court ruled that the police may search passengers' bags in so-called bus sweeps without establishing any individualized basis for suspicion. In an earlier ruling, *Terry* v. *Ohio* (1968), the Court determined that officers may stop people on the basis of "reasonable suspicion," a doctrine significantly vaguer than the "probable cause" standard previously demanded.

None of these decisions allows the police to arrest someone on the basis of his or her race, Cole notes. What they do is grant law enforcement so much discretion that cops can stop virtually anyone for any reason, thus inviting racial profiling. Reviewing federal court cases involving drug stops at airports, Cole found that courts accepted the following justifications: Suspect walked quickly through airport; suspect walked slowly through airport; suspect carried no luggage; suspect carried brand-new luggage; suspect traveled alone; suspect traveled with a companion. In over 90 percent of these cases, the suspect also happened to be black or Hispanic.

To Cole, that such patterns do not *appear* racially motivated makes them all the more insidious. Societies, he notes in *No Equal Justice*, aim to balance two competing interests in devising crime policy—liberty and security. Liberals and conservatives might disagree on where to draw the line, "but both sides agree, at least in principle, that the line should be drawn in the same place for everyone." America, however, has mediated the tension between liberty and security "not by picking one point on the continuum, but in effect by picking two points—one for the more privileged and educated, the other for the poor and less educated," writes Cole.

All of which leads Cole to conclude that in order to address inequality, we need to go much further than simply eliminating open, intentional racism. "I take issue with those, like Professor Randall Kennedy, who argue that as long as we can rid the system of *explicit* or *intentional* considerations of race, we will have solved the problem," he writes. To reduce the problem to such instances "is to ignore the lion's share of inequality that pervades the criminal justice system today."

IN FACT, as Cole is well aware, Randall Kennedy is a staunch critic of racial profiling. In *Race, Crime, and the Law*, Kennedy argues that although it may be "reasonable" for police officers to be more suspicious of minorities (due to higher rates of some forms of criminal conduct), such suspicion is incompatible with the ideal of creating a color-blind society. Kennedy's criticism of racial profiling focuses on those cases where courts have sanctioned the *explicit* use of race as one of many factors justifying heightened suspicion. In *United States* v. *Martinez-Fuerte*, for example, the Supreme Court held that the Border Patrol can lawfully consider Mexican ancestry in deciding which vehicles to search for illegal aliens. To Cole, such rulings are hardly the central problem. To Kennedy, however, concentrating on *purposeful* discrimination is important. He reasons that in the absence of discriminatory intent, assessing whether a law is actually harmful to minorities is far more complicated than liberal critics commonly assume.

"A racial disparity is not necessarily indicative of a racial discrimination," insists Kennedy in a crucial passage in *Race, Crime, and the Law*. He continues:

> Some critics attack as racist urban curfews that regulate youngsters on the grounds that such curfews will disproportionately fall upon minority youngsters. But

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> ...k communities *hurt* by curfews ... limit the late-night activities of minors or *helped* insofar as some of their residents feel more secure because of the curfews? Some critics attack as racist police crackdowns on violent gangs because such actions will disproportionately affect black members of gangs. But are black communities *hurt* by police crackdowns on violent gangs or *helped* by the destabilization of gangs that terrorize those who live in their midst?

What Kennedy is doing, of course, is placing the treatment of minority *victims* at the center of the concern for equality. "It's something that's always been there but that people really haven't looked at," he told me in his spacious, book-lined office at Harvard Law School, where he has taught since 1984. "Look at the history of the NAACP," said Kennedy, who wears large plastic-frame glasses and has a lively, animated manner. "The first thing the NAACP was concerned with, for its first twenty years, was lynching. Here was a practice where black people literally lacked the equal *protection* of the law." In the most haunting chapter of *Race, Crime, and the Law*, Kennedy chronicles the chilling litany of cases in which white judges and juries have exonerated those who raped, robbed, or murdered African Americans. "Goodness gracious, anybody hurt?" reads the chapter's epigraph, from *Huckleberry Finn*. "No'm, killed a nigger."

It's not that Kennedy doesn't think minority suspects, too, have suffered from discrimination at the hands of white authorities. He recalls that while growing up in Washington, D.C., he would travel with his family to visit relatives in South Carolina, and his father would get pulled over for no apparent reason. "He was a black man with out-of-state plates in a nice car," explained Kennedy. "That was enough." Kennedy later interned at the NAACP Legal Defense Fund, an experience that politicized him in much the way that Cole's internship politicized him, and went on to clerk for the Supreme Court justice Thurgood Marshall.

"It was a great experience," says Kennedy of the clerkship. "Growing up, my father used to tell me about going to see Marshall argue one of the very last white primary cases, in South Carolina. In those days, if a problem arose in the black community, people would say, 'Hold on, Thurgood's comin'.' And he would." On the last day of his clerkship, Kennedy says, he brought his parents in to meet their hero. "My father told Marshall about seeing him argue that case.... It was very moving."

Given these experiences, it's hardly surprising that Kennedy, who serves on the editorial boards of both the *American Prospect* and *The Nation*, classifies himself as politically progressive. "I'm clearly on the liberal end of things." In fact, however, Kennedy's views are eclectic. He is above all a skeptic and provocateur who seems to delight in challenging the ideological assumptions of both the left and the right—and in courting controversy. In the *Harvard Law Review* back in 1989, he scathingly criticized several leading exponents of critical race theory, including Richard Delgado, Derrick Bell, and Mari Matsuda, for reinforcing dubious notions of racial distinctiveness. "Although promoted in the name of an insurgent, liberatory, intellectual endeavor," charged Kennedy, such scholarship tends to replicate "deeply traditional ideas about the

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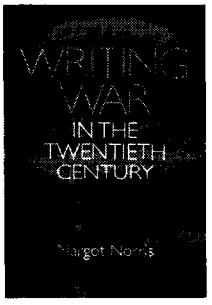

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naturalness, essentiality, and inescapability of race." His fiercest objection was to the critical race theorists' notion that ideas and sensibilities could be categorized on the basis of race (that is, that there is such a thing as "a black perspective"), a notion that ignored "the reality of intra-racial disputes."

His critique provoked an uproar, including articles in the *New York Times* and *The Nation*. Angry ripostes followed from Matsuda, Bell, and Delgado, who accused Kennedy of publishing the piece "for the purposes of justifying the current politico-legal system" and of turning a blind eye to the "flagrant exclusion" of minority scholars from positions of power. A year later, Kennedy launched the short-lived *Reconstruction,* a journal on African-American politics and culture that quickly established a reputation for bucking conventional wisdom, featuring articles by authors such as Stephen Carter, Glenn Loury, and...David Cole.

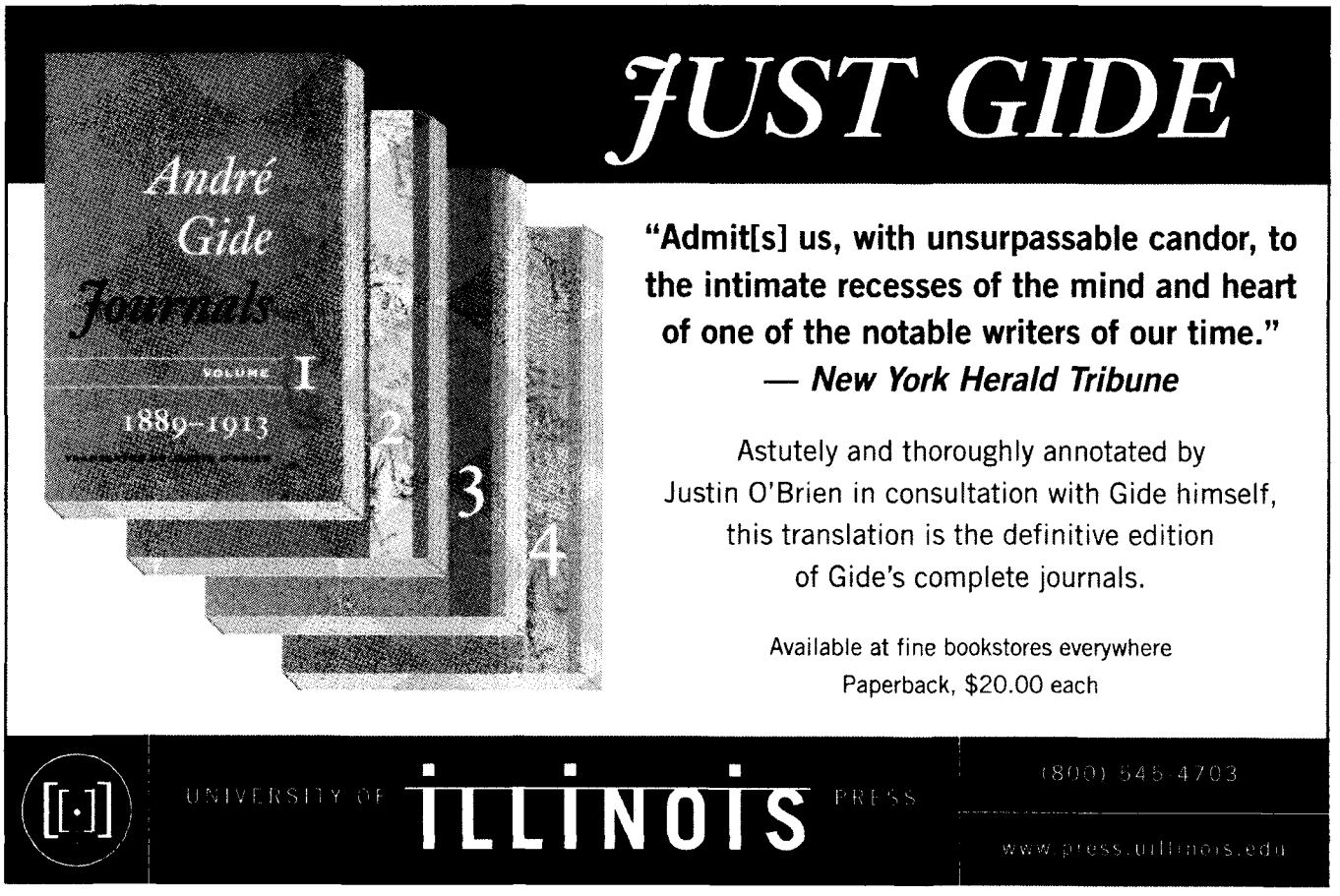
"I think Randy doesn't like to be pigeonholed, which leads him to take positions that will surprise people," says Cole, who contributed an essay to *Reconstruction* criticizing hate laws (on civil libertarian grou[illegible]part of his philosophy of color blindness. He wants to be seen as a scholar, not as a black scholar who is expected to take a certain position because of his identity."

Kennedy concurs: "There have been a number of times in my career where people have said, 'Don't say that, because you're black and what you say will lend credibility to a bad idea.' I understand that, but I don't shy away from writing what I think."

Which is why he has not refrained from drawing attention to the problem of black victimization. For all the outrage provoked by incidents like the Rodney King beating, Kennedy finds it disturbing that all too many critics, particularly those who view their mission as "advancing the interests of blacks," pay so little attention to the startling disparities in victimization rates. "Black teenagers are nine times more likely to be murdered than their white counterparts," he writes in *Race, Crime, and the Law,* and the overall murder rate for black males today is double the rate of combat deaths for American servicemen during World War II. Kennedy concludes that "blacks (and other people of color) suffer more from the criminal acts [illegible] racial 'brothers' and 'sisters' than they do from the racist misconduct of white police officers."

It's a view that has provoked heated objections, particularly from other African-American scholars. Reviewing the book in the journal *New Politics,* New York University professor Derrick Bell complained that Kennedy's emphasis on black-on-black crime "causes him to lose sight of how horribly invidious the problem of racism is." Writing in the *Harvard Law Review,* Paul Butler, a former student of Kennedy's who comes under harsh attack in *Race, Crime, and the Law* for advocating black jury nullification, portrayed Kennedy (whom he mockingly dubbed "Respectable Randall") as an Uncle Tom who believes racism "only encumbers the bad blacks who commit crime and not the good Negroes who constitute the majority."

To Kennedy, who took pains to xerox and share these reviews with me, such assessments may be unpleasant but seem only to confirm his sense that what he is saying is important. "At the center of all discussions about racial justice and criminal law," he concludes, "should be recog-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[illegible] Americans are in dire [illegible] protection against criminality."

THIS PREMISE underlies one of Kennedy's most controversial arguments: namely, that the different punishments for trafficking crack versus powder cocaine (a person convicted of selling five grams of crack receives the same punishment as a person convicted of distributing *five hundred* grams of powder cocaine) are not, as critics commonly allege, the product of racism. In *No Equal Justice*, Cole points to statistics indicating that 93 percent of those convicted of crimes involving crack were black and 45 percent of those convicted of crimes involving powder cocaine were white, a seemingly clear sign that maintaining the 100:1 disparity exacerbates racial inequality.

Not so, argues Kennedy. "To the extent that the enhanced punishment for crack offenses falls upon blacks," he writes in *Race, Crime, and the Law*, "it falls not upon blacks as a class but only upon a distinct subset of the black population—those in violation of the crack law." Kennedy advanced this argument in a highly controversial 1994 article in the *Harvard Law Review*, in which he assailed a Minnesota Supreme Court ruling that had invalidated the crack/cocaine distinction on the grounds that it "appears to impose a substantially disproportionate burden" on blacks. Nonsense, charged Kennedy. "It is a 'burden' on those who are convicted of engaging in this conduct," he countered. Law enforcement is a "public good" that "benefits the great mass of law-abiding people."

"One of the reasons I wrote about that," Kennedy told me, "is that I was reading through all these articles on the crack/cocaine distinction, and nobody—nobody—was talking about the history of congressional attitudes about crack. So I decided to look it up." He leaned forward. "Well, it so happens that the first person to draw attention to the dangers of crack was Charles Rangel," an African-American liberal Democrat who represents Harlem in the House, "and there were a substantial number of other black representatives who started saying, 'Hey, let's crack down on crack,' because they felt it wasn't being taken seriously." In other words, it was not racism but a concern about crack's [illegible] spiked [illegible] drove the [illegible] concerns, Kennedy notes, [illegible] are in the black community: A 1993 Gallup poll, for example, found that 82 percent of blacks believed the courts in their areas do not treat criminals harshly enough, 75 percent favored putting more police on the streets, and 68 percent advocated building more prisons so that longer sentences could be given to criminals.

"The crack law may be wrong," says Kennedy (in which case Congress should change it), "but that is very different from saying it is racist" (in which case it should be viewed as unconstitutional). In his *Harvard Law Review* article, Kennedy concludes that the presence "of a racially discriminatory purpose distinguishes those laws that are specifically *racial*, and therefore presumptively illegitimate, from those that merely give rise to racially disparate consequences that disadvantage some African Americans while benefiting others."

Soon after it appeared, Kennedy's article was cited in a Washington, D.C., court of appeals ruling that rejected a constitutional challenge to the crack/cocaine distinction.

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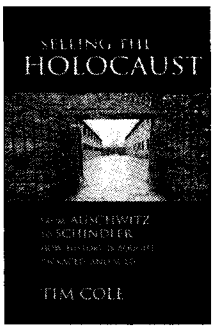

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It also provoked a lengthy rebuttal from David Cole. Writing in the *Georgetown Law Journal*, Cole argued that although Kennedy's effort to distinguish between the crack law's impact on law-violating and law-abiding blacks was understandable, "much of the world does not make that distinction." The drug war, Cole pointed out, was a major factor behind disproportionate minority arrests and harassment, actions that affect all members of the black community. Charles Rangel and other minority representatives in Congress, Cole added, had originally proposed placing crack on a par with cocaine, not creating a 100:1 disparity, and congressional black and Hispanic caucuses have since proposed overturning the law, in part because the disparities in the drug war have become so glaring: African Americans, Cole noted, constitute "14% of all drug users" but "35% of all drug arrests, 55% of all drug convictions, and 74% of all sentences for drug offenses."

In addition, Cole charged, by arguing that only laws that are explicitly racist should be subject to review under the equal protection clause (the so-called intent doctrine espoused by the current Supreme Court), Kennedy would exempt from scrutiny the vast majority of modern discrimination, which is subtle, unconscious, and structural. Cole noted that Kennedy himself argued this point in a 1991 article on the controversial *McClesky* v. *Kemp* decision. Warren McClesky, a black man facing the death penalty for killing a white police officer, had challenged the death penalty's constitutionality by presenting evidence that defendants charged with killing whites were 4.3 times more likely to receive a death sentence than defendants charged with killing blacks. In a five-four decision, the Supreme Court ruled that while the statistics seemed to show disparate treatment, McClesky would have to show purposeful racial discrimination in his own case to raise constitutional concerns.

Kennedy has been an unsparing critic of the *McClesky* ruling, describing the Court as "haunted by anxiety over the consequences of acknowledging candidly the large influence of racial sentiment" underscored by the statistics. But if this is the case with the death penalty, why not with the drug war, where, Cole argues, racial selectivity is equally stark?

In his book, Kennedy differentiates between the death penalty and the drug war by suggesting that "death is different" because it is society's ultimate punishment. When we met, however, he seemed to have moderated his position somewhat. "I do have some qualms about what I wrote" in 1994, he confessed. Pointing to a Justice Department report released in April 2000 that found black youth *forty-eight times* more likely than whites to be sentenced to juvenile prison for drug offenses,

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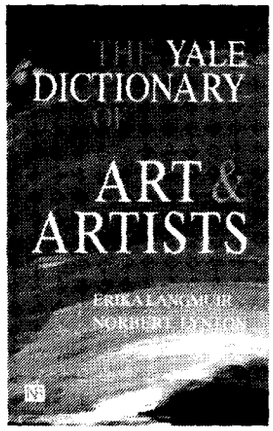

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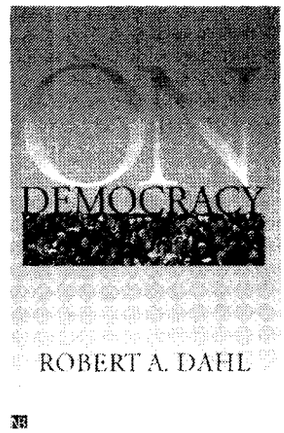

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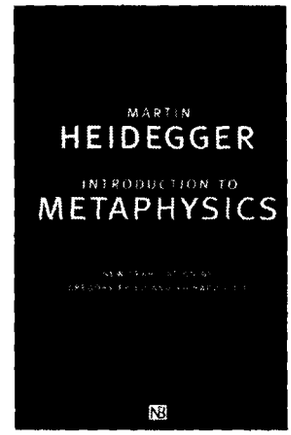

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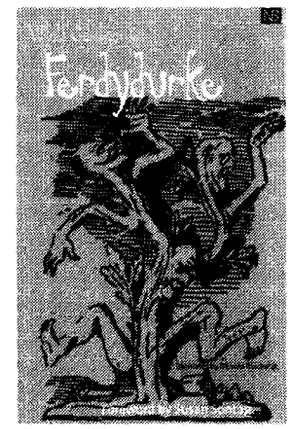

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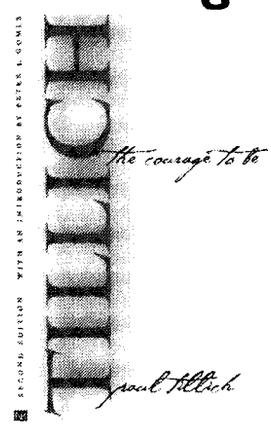

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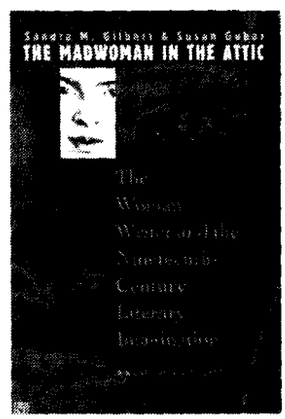

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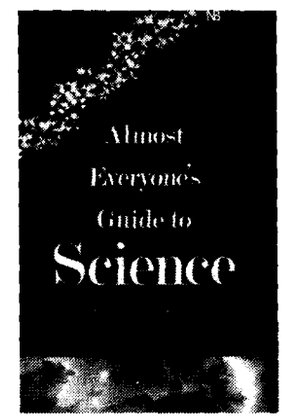

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Kennedy said, "If it's true that Congress would act differently if this were the impact on the white population,...then this is a policy of racial selectivity."

"But," he added, "I want to change the drug war because it is counterproductive or ineffective, not because it is racist. One of my criticisms of David and his allies is that they are using this very traditional approach—almost a sort of racial shaming tradition. I think he wants charges of racial discrimination to do political work, and I have real doubts about the efficacy of that.... I mean, people have tried making those charges for a long time now, and it hasn't really gotten very far."

"Furthermore," Kennedy added, "I get the sense that David thinks conservatives are sort of a lost cause, that they are barely worth talking to. Well, I think it's important to talk to conservatives. I think some conservatives, especially those who talk about limiting big government, should be concerned with the unaccountable behavior of the police.... But I think we need to reach out to conservatives who embrace the goal of building safe communities."

"He has a point," says Cole, acknowledging that his work focuses far more on the costs of law enforcement than on the costs of crime. Cole, however, insists that *No Equal Justice* does address the issue of community safety, albeit from a different angle. Citing the social psychologist Tom Tyler, who has conducted studies showing that the people most likely to obey the law are those who believe in its moral legitimacy, Cole argues that a system based on double standards paradoxically "fuels racial enmity and encourages crime" by making the targets of discriminatory practices less inclined to play by the rules. Gallup polls, Cole notes, indicate that three-fourths of African Americans believe the criminal justice system is racially biased and a majority view the police as corrupt. "In the long run, I think we all lose from this approach," says Cole, who points to cities like Boston and San Diego, which have sharply lowered crime in recent years not by stopping and arresting massive numbers of minority citizens but by implementing community policing strategies, such as sit-down meetings with gang members and counseling and mentoring programs for youths. "One of my main points is that we have lots of choices in how we respond to crime. Boston and San Diego have decreased crime *and* civilian complaints about police misconduct."

Ultimately, Cole's book will not likely appeal to those who view punishment and incarceration as the best mechanisms for enhancing security. Interestingly, though, Cole admits that some people might answer his call for equality by arguing that criminal justice should be more punitive across the board. In Minnesota, he notes, when the Supreme Court invalidated the crack/cocaine distinction, the legislature responded not by liberalizing the crack law but by increasing the penalty for powder—an approach Cole deems overly punitive but still preferable to the existing double standard.

Still, Cole maintains that, over time, the "get tough" approach to crime would lose much of its appeal were the costs borne more equally. "At current trends," he notes, "one in four black male babies born today will spend at least a year or more of his life in prison.... We are the world leader in freedom but also the world leader in prisons.... This would not be accepted if it were one in four *white* babies."

IT'S WITHIN this context that Cole finds fault with Kennedy's emphasis on security. "I don't think Randy has this intent, but his work unfortunately lends legitimacy to people who are advocating harsher and harsher policies that ultimately redound to the detriment of the black community," he says. In a recent article in the *Georgetown Law Journal*, Cole links this aspect of Kennedy's work to what he calls "the new discretion scholarship." During the past two decades, Cole notes, a growing number of scholars, building on the "broken windows" theory, have embraced the notion that in order to control crime in inner-city neighborhoods, courts need to broaden the police's discretion even further.

Dan Kahan and Tracey Meares, at Yale and the University of Chicago, respectively, champion aggressive order-maintenance policing under open-ended statutes, arguing that such policies, if well regulated, are far from racist and in fact benefit the law-abiding members of inner-city communities. In their articles, Kahan and Meares often cite Kennedy's emphasis on minority victimization to bolster their case. They have also echoed his arguments in a brief submitted before the Illinois

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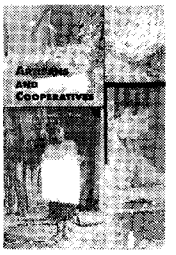

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To the consternation of Kahan and Meares, Kennedy signed on to a brief *opposing* the Chicago anti-gang ordinance. "I was definitely surprised and a little disappointed by that," says Kahan. "I mean, he's the person who inspired this whole new conception of how criminal law and policing and race relate to each other."

Kennedy, who is largely sympathetic to quality-of-life policing initiatives ("I think laws against littering and spitting and jumping through turnstiles do make people feel they can use the streets"), says he can understand Kahan's disappointment. "A good number of people wrote and e-mailed me to say, 'Gee, I read your book, I thought you'd be on the other side,'" he says. But Kennedy stands by his position. "Do the police have to have discretion—of course they do. The question is, Do they need that authority *augmented*? I think, to the contrary, we need to make sure they are doing what they're supposed to do." Kahan and Meares, he adds, "seem to think political power has changed so much that racial minorities don't have to worry about the police as armies of occupation. I think they are much too sanguine on that."

It's a little difficult to square all this with Kennedy's insistence that what minority communities most need is more law enforcement. ("There is a real tension here," he concedes.) Then again, perhaps his views have evolved somewhat in the course of recent events—and in the course of his dialogue with Cole. "He helps rope me in if I'm straying off too much," Kennedy explains, "and I get the sense that perhaps I've moderated his line on certain issues. For example, he does say explicitly in his book that we should also be concerned about the victims of crime. I would have liked to see him push that a little more, but I was happy to see that." He pauses. "Overall, it's been a very fruitful exchange."

Eyal Press is a contributing writer of *LF*. His work has also appeared in *The Atlantic Monthly*, *The American Prospect*, *The Nation*, and other publications.

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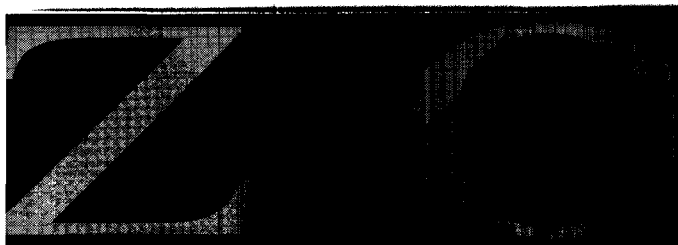

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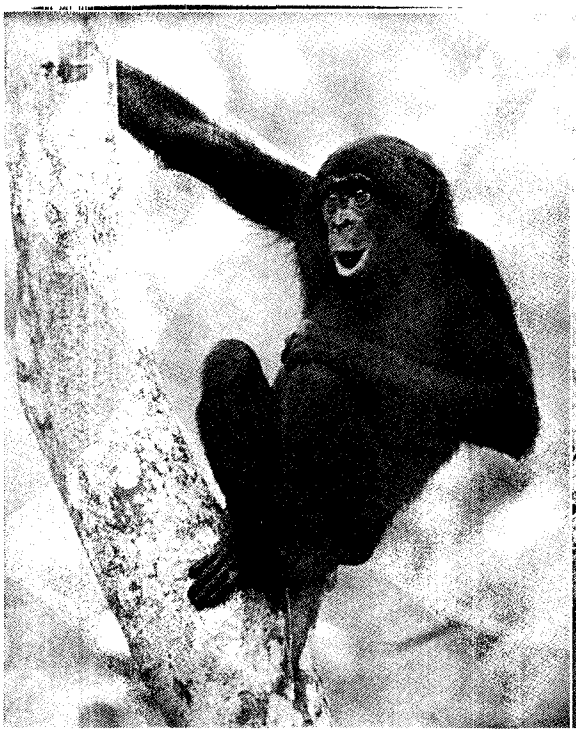

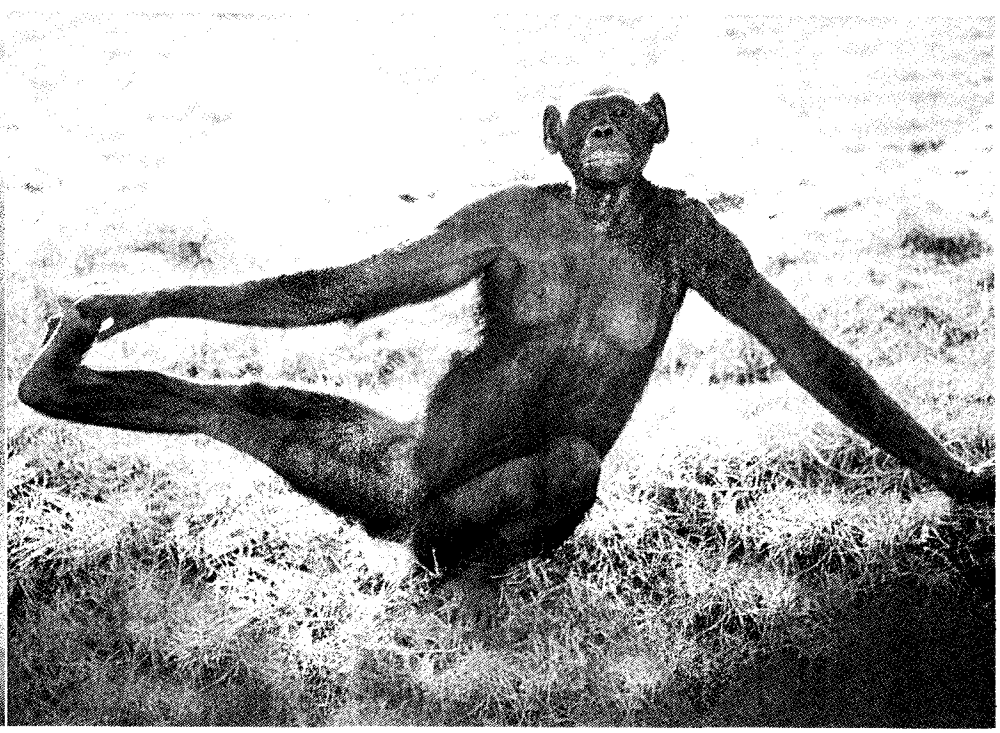

IN THE HUMID, SWAMPY FORESTS SOUTH of the Congo River in central Africa, in an area as big as Italy but almost as remote as the Arctic, an orgy has been going on for thousands of years. This is the territory of the bonobo apes—black, hairy creatures nearly as tall as men and three times as strong. In gangs of up to a hundred, they travel through the jungle, build nests, sleep in the trees, and have sex every two hours or even more often. Bonobos look like chimpanzees, and until the late 1920s, naturalists did not distinguish between the two species. Now we know that chimps and bonobos occupy different territories, that they differ physically, and that the bonobo way of life is so different from that of the chimp that the two species seem to have evolved in separate worlds.

Bonobos have thinner limbs and wider faces than chimps. The hair on their heads is longer, often with a middle parting, like that of the creatures in the *Planet of the Apes* movies of the 1960s and 1970s. Like many primates, they groom each other, picking bugs and snarls from the fur of their fellow bonobos. In fact, they are such avid groomers that sometimes one will have all its hair pulled out. This creates an odd impression. Looking at photographs of bald bonobos, I think of E.T., of Gandhi, of the elderly Dwight Eisenhower.

The really surprising thing about bonobos, however, is their society. For decades, primatologists have known that the world of the chimpanzee can be a brutal one. In the 1970s, Jane Goodall and other primatologists witnessed murder, infanticide, rape, and even a form of organized warfare among chimpanzees, and these events seemed to confirm what all the bloody centuries of human history had suggested. Not long before Adolf Hitler came to power, Sigmund Freud wrote, "we cannot, it is true, easily foresee what new paths the development of civilization could take; but one thing we can expect, and that is that [aggression,] this indestructible feature of human nature, will follow it there." After World War II, Konrad Lorenz and Robert Ardrey looked back on fifty years of dead bodies and cities in ruins and sought to attach biological, evolutionary roots to Freud's ideas. Birds, fish, and other animals fill up their niches and then turn on each other, and human beings do the same, they wrote. The chimpanzees that primatologists observed in the following decades showed us the likely evolutionary source of our self-destructive ways. Life was an inevitable struggle over resources, which in human culture escalated into crime and war.

Still, human beings do cooperate and form complex societies, and this behavior also needed to be explained. During the 1960s, Sherwood Washburn and his colleagues at the University of California at Berkeley argued that although human males had a natural instinct to compete with one another, they formed cooperative relationships when something important was at stake, such as big game that could only be brought down by several men at once. In Washburn's view, human evolution was driven by a combination of male aggression, cooperative hunting, and meat eating. Male hunting groups formed the seed corn of human societies.

The ideas of Lorenz, Ardrey, and Washburn have become increasingly controversial in recent years. Feminists, in particular, have argued that the so-called Man the Hunter hypothesis fails to account for the important roles women played in early human societies. Then, in the 1970s,

FRANS LANTING (4)

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BY **HELEN EPSTEIN**

new research emerged from several sites in Congo, where the bonobos live. These findings seemed to deal the greatest blow yet to the Man the Hunter scheme and to the idea of the inevitability of animal aggression. Under a vast tree canopy, in one of the world's most deeply troubled and unstable nations, a few intrepid teams of primatologists had been watching these strange, rare apes for two decades or so, and they found a sort of feminist paradise.

Murder, rape, and infanticide have never been observed among bonobos. Bonobo society displays features unheard of in chimps and other apes and rare even in the most enlightened human societies. Female bonobos, though smaller than males and often burdened with infants, form gangs that control aggressive males. Females have priority at feeding sites and sometimes initiate sexual acts. Bonobos have sexual relations almost constantly, from the age of one year, and much of this activity is homosexual. Male rank among bonobos often depends on females. For example, the son of a high-ranking female is more likely to hold high rank himself. The bonobo findings, says the Emory University primatologist Frans de Waal, "seem to be very inconvenient for the Man the Hunter scheme. They have thrown nearly half a century of thinking about animal behavior and human evolution off the track."

The distinctions between chimp and bonobo society have been widely reported, and both primatologists and nonprimatologists have weighed in with their preferences. For some, bonobo society provides a vision of what the world could be like if women ran it: Bonobos inhabit a world where women's sexuality is a tool of diplomacy, an unthreatening way of dealing with conflict. In the erotic literature section of my local library, I found an essay by the Cornell University anthropologist Meredith Small, who suggests that bonobos might even be our moral ancestors. Perhaps early human beings used "sex on a daily basis to make alliances, trade goods and favors, establish friendships and keep the peace," she writes. "Bonobos suggest that our idealization of private, monogamous sexual behavior might be a relatively recent deviation from our evolutionary heritage."

For the novelist Alice Walker, the bonobo is the mascot of sexual freedom and women's empowerment. Here is the dedication in her recent book, *By the Light of My Father's Smile*:

> Our
> insouciant
> fun-loving
> nonreading
> relatives
> the delightful cousins
> Bonobo.
>
> *May Life be thanked*
> *for them.*

The psychiatrist Ann-Louise Silver found bonobos useful for analyzing erotic dreams. She had been reading an article in the *New York Times* that mentioned de Waal's bonobo research when, she writes, "I began seeing the clinical implications of de Waal's work. Perhaps we humans have a 'programmed' tendency to respond sexually to situations of competition and danger."

For de Waal, bonobo behavior "may provide a foundation for what in humans we call 'sympathy' and 'empathy.'" In de Waal's coffee-table book *Bonobo: The Forgotten Ape*, he writes:

> Who could have imagined a close relative of ours in which female alliances

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> intimidate males, sexual behavior is as rich as ours, different groups do not fight but mingle, mothers take on a central role, and the greatest intellectual achievement is not tool use but sensitivity to others?

It is likely that the bonobo has received more media attention in recent years than any other ape. Does the bonobo deserve this? Why has no one written a poem, or a coffee-table book for that matter, about the gibbon, the diminutive ape of southeastern Asia that forms monogamous relationships, sings duets with its mate in the forest, and settles in circumscribed areas, which it defends against encroachment by other gibbons? After all, the gibbon's lifestyle, with its version of the nuclear family and private property, bears many intriguing similarities to our own.

If anyone were to write a poem about the gibbon, it might well be Richard Lowry, the young editor of the conservative biweekly *The National Review*. In the right-wing newsletter *Imprimis*, an indignant Lowry disparagingly associated the bonobo with the feminist, multicultural left:

> Among..."Bonobos," there is no observable violent behavior.... They live in a matriarchal society in which the females lord it over the passive and easily manipulated males; free love reigns since the "Bonobos" are not loyal to their mates and will have sex at the slightest instigation; the females are bisexual; and all... [bonobos] male and female are vegetarians.
>
> Review this list carefully, and you are bound to conclude that it is a perfect description of the ideal liberal society. In fact it is probably a pretty good description of life at, say, Brown University.

WHO ARE THE bonobos? Are they really who we think they are? And how much does our opinion of ourselves influence our view of them? Observers of foreign cultures can sometimes be fooled. The early observations of chimpanzees carried out by Goodall and by Adriaan Kortlandt suggested that these animals were peaceful, gentle creatures, too, before further research proved otherwise. Early in the twentieth century, the anthropologist Margaret Mead arrived on the South Pacific island of Samoa to study adolescence among the natives. She witnessed a culture much like that of the bonobos. The Samoans were peace loving and sexually free. There was little jealousy or repression, and adolescence was a time of happiness and blossoming sexuality. Mead argued that sexual repression and adolescent angst were inventions of Western civilization and were not inevitable in human society. Decades later, it was discovered that Samoan society is just as conflicted about adolescent sexuality as Western society is, perhaps even more so: Mead's informants had been teasing her. Could the bonobos be fooling their observers, too? Some of the world's most eminent primate researchers are locked in battle over the true nature of the bonobo—and over how much these distant relatives have to tell us about ourselves.

Craig Stanford of the University of Southern California is skeptical of the grand claims his colleagues have made on the bonobo's behalf. In his book *The Hunting Apes*, Stanford puts forth an updated version of the Man the Hunter hypothesis: Meat captured by primate males, he writes, becomes a kind of symbolic currency with which troop members can manipulate one another. Wild bonobos rarely eat meat; nevertheless, when Stanford hears field reports that male bonobos defer to females at feeding sites, he interprets it as a strategic maneuver akin to bribery. Just as a human male may hope that offering chocolates and opening car doors will get him somewhere, a male bonobo surrendering his patch of shoots in the forest to a female may expect sexual privileges later on. What looks like female power is an illusion.

"It's real female dominance," counters de Waal, and the key to it, he argues, is female cooperation. Female bonding is much more common among bonobos than it is among chimps. Sometimes female coalitions gang up on males, even when there is no food around. De Waal further cites the work of his former colleague Amy Parish (she is now at USC), who notes that there are more than forty recorded cases of male bonobos sustaining serious injuries at the hands of females. "There is great reluctance among primatologists to admit that female dominance in bonobos exists," says de Waal. This reluctance is especially marked, he says, among male primatologists. He told me his female colleagues, including Parish, Meredith Small, and the University of Michigan psychologist Barbara Smuts, are far more receptive to the idea that real female dominance exists among bonobos than his male colleagues are.

As Stanford sees it, however, the notion that females dominate bonobo society is simply not supported by sufficient evidence. According to Stanford, animals in the wild behave differently from their better-observed brethren in zoos. "When you compare wild chimps with wild bonobos, many of the differences between the two species disappear," he told me on the phone, and so he has written in the pages of *Current Anthropology* and other journals. The structure of bonobo communities in zoos is unnaturally constrained. For example, in the wild, bonobo troops are large and dynamic. Seventy-five or more individuals may gather and then split off into smaller groups. A zoo colony, on the other hand, might consist of perhaps seven animals living together for a very long time. "If one of them happens to have a strong personality, that can change the social dynamics quite a lot," Stanford argues, and this may lead to premature generalizations about female dominance and aggression among bonobos in general.

Zoo living may also influence bonobo sexual behavior. When captive bonobos are compared with wild chimpanzees, the bonobos have sex far more often. But when wild bonobos and wild chimps are compared, says Stanford, the two species appear to copulate with a similar frequency. Therefore, he concludes, the hypersexuality of zoo bonobos may only be a consequence of the stress and boredom of living in captivity.

And yet, de Waal notes that Stanford did not include homosexual encounters in his calculations. If he had, he would have found that bonobos scored many more sexual encounters than chimps, even in the wild. "Even greater than the reluctance to recognize female dominance is the reluctance to acknowledge the overwhelming role of sex in bonobo society," he explains. Again, this reluctance is most marked, says de Waal, who is Dutch, among Anglo-Saxon male primatologists. "The English speaking world, with its Victorian heritage, is exceptionally squeamish about sex," he maintains. "U.S. investigators often try to downplay it. Some say bonobo sex is not real sex, it's something else; others ignore it altogether. But if this were happening with humans, we would know what to call it. It fits all the Paula Jones definitions."

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BONOBOS HAVE BEEN HAILED AS THE MOST PEACE-LOVING AND LITERATE OF APES. BUT DO THEY DESERVE THE PRAISE?

In fact, some primatologists perceive similarities between human and bonobo sexuality. In *Bonobo: The Forgotten Ape*, de Waal describes bonobos having sex when they arrive at feeding sites and when they encounter rival bonobo groups in the forest. Such events might engender rivalry and even violence among chimps, we are told, but bonobos seem to have reached a higher, more evolved, perhaps more human, social plane. Human beings do not (usually) have big orgies before dinner parties, or when two groups of strangers meet. However, human sexuality, like that of the bonobo, does have a social function other than reproduction.

Stanford does not believe that such comparisons go very far. He concedes that "bonobos do engage in a richer array of sexual activities than chimps do." But he adds that "the problem is we still don't know enough about what bonobos do in the wild. There have probably been twenty times more man-hours put into watching chimps than bonobos. If you want to portray the bonobos as the sexy apes from Venus, it helps if you don't know much about them."

AT A RESEARCH station on the rural edge of Atlanta, Sue Savage-Rumbaugh of Georgia State University has spent the past twenty years getting to know a male bonobo named Kanzi, who is widely regarded as the world's most literate ape. Savage-Rumbaugh is primarily interested in language research, and she and Kanzi communicate using a keyboard, either an electronic one or a laminated card printed with about five hundred symbols representing simple things such as foods, objects, and feelings. She claims that actively training a bonobo to use the symbols doesn't work. Kanzi's adoptive mother, Matata, for example, failed miserably when Savage-Rumbaugh tried to teach her to communicate with the keyboard. But Kanzi, who was then a toddler, learned to use it easily, just by hanging around the playroom during his mother's lessons. "They learn better by observation, in the same way a child does. There is no difference," she insisted to me, "between the ways a child and a bonobo learn language."

Judging from Savage-Rumbaugh's research with Kanzi and a small number of other bonobos, these apes are outstandingly adept at getting messages across to human beings. Still, language and cognition experts such as Steven Pinker and Stephen Budiansky remain generally skeptical of scientists' attempts to communi-

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cate with apes. In *The Language Instinct*, Pinker argues that human language is as unique in nature as the elephant's trunk, and Kanzi's exploits are no more convincing than the circus tricks that trained chimps perform. Many animals, especially chimps, will do extraordinary things, such as ride bicycles and pour cups of tea, in order to obtain a food reward. Is Kanzi expressing a real affinity for language, or is he merely exceptionally shrewd? Kanzi can respond to spoken questions, which is impressive for an ape, but he rarely initiates exchanges, and when he does, the subject is invariably food. Conversing with Kanzi is very unlike conversing with a child, who asks questions about everything she sees just for the sake of asking, without anticipation of reward.

I wanted to see for myself whether I could perceive any kinship across the two percent of DNA that separate human beings from bonobos, so I arranged to visit Savage-Rumbaugh at Georgia State University's Language Research Center, where she works. She seemed oddly defensive. She had canceled our meeting at the last minute and only reluctantly agreed to see me one evening during my trip. Unfortunately, Kanzi and the other bonobos were asleep by then. "I will not wake them up!" she said firmly. I hadn't asked her to.

During our interview, she suggested I come by the following morning, so I could see the animals when they were awake. When she arrived to pick me up at the gates of the compound where she works, she pulled out one of the symbol keyboards she uses to communicate with Kanzi and the other bonobos. "We...speak...with...keyboard," she said, pointing to the relevant symbols on the laminated card as she spoke. The card had several hundred icons on it, and the abstract symbols did not resemble the things they are supposed to represent, nor were they in any order I could make sense of. Nevertheless, Savage-Rumbaugh insisted that she and I communicate by pointing at the symbols in silence, which I found vexing.

Savage-Rumbaugh allowed me to sit and watch the bonobos from a distance but would not let me go near them or attempt to communicate with them. Nevertheless, they were fascinating creatures. Photographs do not convey how spirited and agile bonobos are. Although they resemble pitch-black, potbellied, hairy wrestlers, they move as gracefully as shadows. I sat on a plastic chair on the grass and watched Kanzi and his cage mates, an adult female with no hair and a heart condition, another adult female, and a toddler. Savage-Rumbaugh had brought the bonobos some bananas, and as she pushed them through the bars there was much commotion inside. The baby swung back and forth across the ceiling of the cage, clutching a banana in her foot. The hairless female ate slowly by herself, next to the bars, staring out at me. Kanzi sat on a rubber ball, as if on a small stool, and ate one banana after another. When all the bananas had been eaten and there were only peels strewn on the ground, Savage-Rumbaugh asked, "Do you want some more bananas?" Kanzi looked at her and squealed.

Savage-Rumbaugh disappeared into a laboratory building, and then returned a few minutes later carrying nothing. "I'm sorry, Kanzi, there are no more bananas," she said. Kanzi stared straight ahead. "Would you like some oranges?" This time Kanzi

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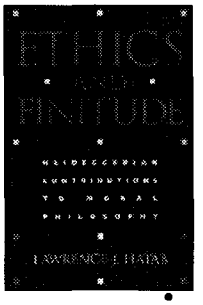

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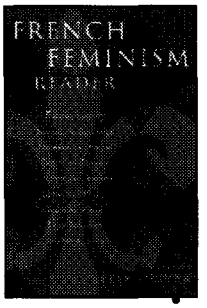

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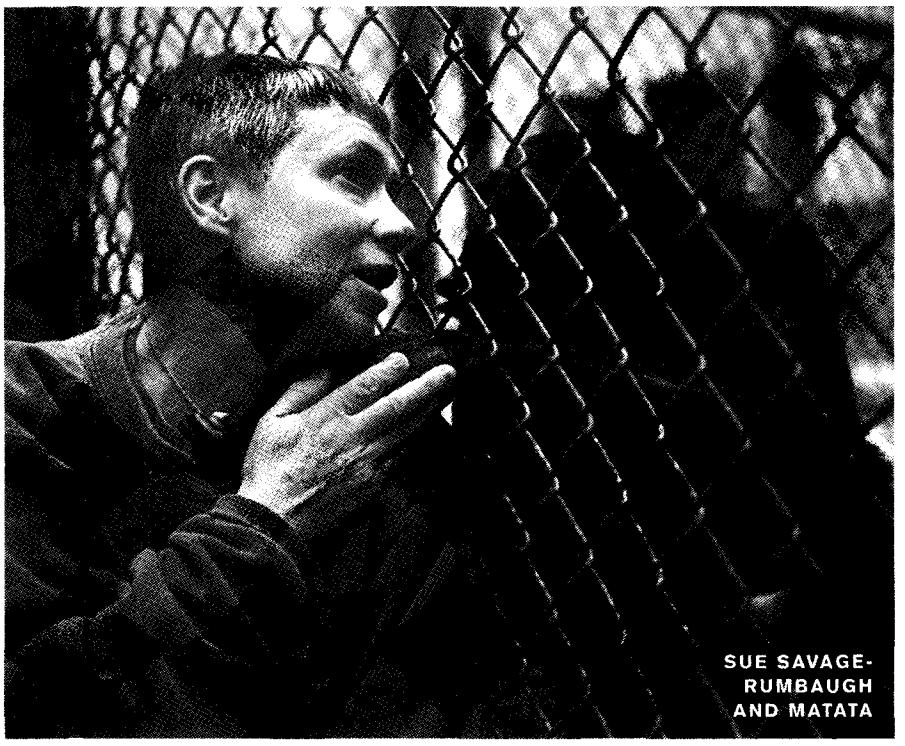
let out an even louder squeal. And then I saw what all the fuss was about. As de Waal had told me, "The first thing that strikes you about bonobos is the sex." With an unmistakable erection, Kanzi lumbered up behind the bald female and rubbed his torso rapidly against her back. The whole episode lasted only a few seconds, but indeed there it was. What did it mean? Was he attracted to his scrawny, ailing cage mate? Perhaps it was just an expression of simple joy from an ape who knew oranges were coming.

Whatever Kanzi was doing, it resembled only the most eccentric human behavior. Bonobo sexuality may be striking in its variety and frequency, but to say that these animals use sex the way human beings do seemed to me to be stretching the point. Savage-Rumbaugh agreed that in order to interpret what Kanzi was up to, we need to know what sex means to him and his species.

MORE AND MORE, people look to apes, as in the past they looked to God, to understand human behavior, impulses, and desires. In the nineteenth century, skeptics of evolution warned that this might happen. Human aggression, love, altruism, and everything we think and feel can all be explained, we are told, by genes selected long ago in our African ape-man past. After all, we share 98 percent of our genes with chimps and bonobos, and only some five million years of evolution distinguish us from them.

Three million years ago, our own ancestors were australopithecines, hairy apemen with big teeth, jaws, and snouts who scavenged and hunted, had small brains, walked upright, but also spent time in the trees. Christopher Wills in *Children of Prometheus: The Accelerating Pace of Human Evolution* describes how, since that time, human beings have spread over the entire earth; they have built automobiles, computers, cities, and nations; they have invented written language and used it to compose literature and encyclopedias and laws. They have expressed themselves through music, sculpture, painting, and dance. Wills argues that human evolution continues at a fast pace, particularly in response to environmental and social changes that people themselves have created. What have the bonobos been doing in the meantime? On the face of it, their routine has changed very little.



SUE SAVAGE-RUMBAUGH AND MATATA

ACCORDING TO SAVAGE-RUMBAUGH, BONOBOS MARK TRAVEL ROUTES, PRACTISE AGRICULTURE, DISCUSS THE PAST, PLAN FOR THE FUTURE, AND EXHIBIT EMPATHY.

Nevertheless, Savage-Rumbaugh believes their world might be just as complex as ours, but in ways we can't yet perceive. "We consider ourselves unique only because we have not observed enough or understood what is going on with other species," she contends. In her quest to understand the bonobo, Savage-Rumbaugh considers Kanzi more a colleague than a research subject. When anthropologists study another human culture, they use a key informant, someone from that culture who can describe its customs, beliefs, and the reasons for certain actions. "One day," says Savage-Rumbaugh, "we may be able to use Kanzi as a key informant for studies of bonobo culture."

The more we learn about bonobos, the more sophisticated we find their world, says Savage-Rumbaugh. "They mark travel routes," she told me; "they practice primitive agriculture."

Agriculture?

"Kanzi likes to plant things and watch them grow, and wild bonobos will knock over a bolingo tree so that the fruits will ripen sooner, and then come back two weeks later to harvest them. I've seen bonobos plan for the future and have discussions about the past." They also, according to Savage-Rumbaugh, exhibit empathy. She says that the bonobos she works with sometimes know when she is sad and will groom and brush her hair to cheer her up. And, she has written, they make sensitive sexual partners:

> Slow motion study of videotaped copulatory bouts [between bonobos] indicated that, in many cases, the speed and intensity of thrusting was visibly altered or terminated as a function of changes in the facial expression or vocalizations of one of the participants....On numerous occasions, either the male or female was observed to terminate thrusting when the partner could not be engaged in eye contact or otherwise indicated disinterest by yawning, self-grooming, etc.

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CRAIG STANFORD

"IF YOU WANT TO PORTRAY THE BONOBOS AS THE SEXY APES FROM VENUS," SAYS STANFORD, "IT HELPS IF YOU DON'T KNOW MUCH ABOUT THEM."

A few years ago, Savage-Rumbaugh visited Congo and observed wild bonobos at a research station called Wamba, run by a team of primatologists from Kyoto University. At one point, she found herself surrounded by a crowd of bonobos. The group consisted of about five to ten subgroups, which she followed for several days. "One subgroup might move off into the forest, with a lot of drumming and hooting, and then another one would go off in another direction," she recalled. "Eventually all the subgroups would disperse, and then meet up later in the evening. How did they coordinate all this complex moving and regrouping?" She then noticed that whichever subgroup she was watching was always the last to move off. She could only conclude that these bonobos were observing her, just as she was watching them.

IT IS CERTAINLY tempting to view the good bonobo and the bad chimp as two competing candidates for humanity's progenitor. But increasingly, observers are recognizing how similar bonobos and chimps are to each other—and how difficult it is to generalize about the habits of either species.

According to USC's Amy Parish, chimp females sometimes form alliances and gang up on males, just as bonobo females do. There is increasing evidence that some groups of bonobos eat meat. Bonobos can also be violent, as a U.S zookeeper recently discovered when the bonobo in his care, who had been sulking for days, came up behind him and bit off his finger. Groups of chimpanzees often make tools, which they use for fishing or for sopping up water from places that are hard to reach, but different groups living in different environments make different types of tools. Bonobos were once thought never to make tools, but Kanzi has on several occasions fashioned a stone knife in order to retrieve food from a box secured with rope.

Richard Wrangham of Harvard University points out that primate behavior is affected by local environments, which provide varying kinds and amounts of foods. Chimpanzees live north of the Congo River and often share their forests with gorillas, with whom they must compete for the most digestible fruits and plants. For this reason, females must disperse and forage by themselves, and so they never have the opportunity to form coalitions. There are no gorillas in the forests south of the Congo River where the bonobos live, and their food is more abundant, which permits bonobos to move through the forest in larger groups. This,

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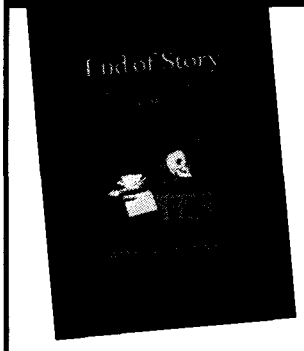

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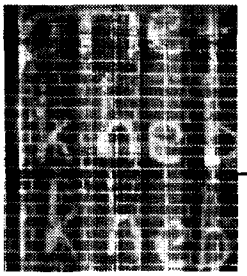

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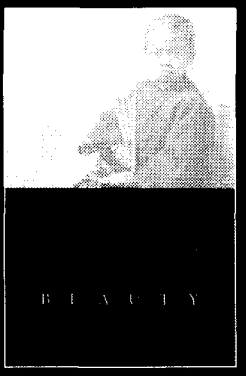

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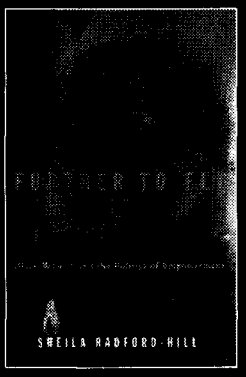

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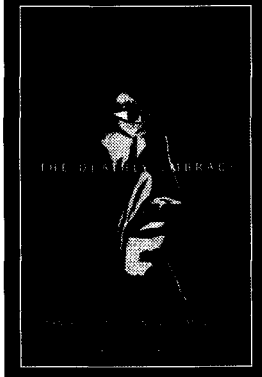

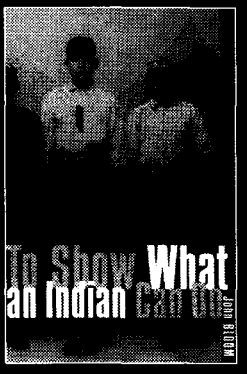

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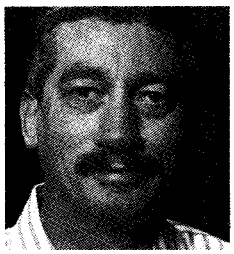

FRANS DE WAAL

ACCORDING TO DE WAAL, MALE PRIMATOLOGISTS ARE ESPECIALLY RELUCTANT TO ADMIT THAT FEMALES DOMINATE BONOBO SOCIETY.

in turn, gives females an opportunity to form coalitions and to assume greater power within the group.

Primate cultures, though various and fascinating, have probably remained more or less fixed for thousands or perhaps millions of years, changing only in time with the local ecology. They have not spontaneously developed and changed over generations the way human cultures have. Human societies evolve in response both to environmental changes and to what people learn from each other. In *The Cultural Origins of Human Cognition*, Michael Tomasello, co-director of the Max Planck Institute for Evolutionary Anthropology, argues that what makes human beings unique is that they are so good at learning from one another and that they create new, original things with what they learn. What this means is that chimps and bonobos may really be different sides of the same ancient coin and that the ape in us, or whatever is left of her beneath the grand complexity of modern human culture, may be both bonobo and chimp, sexy and aggressive, civil and rapacious, a serene vegetarian and a watchful carnivore, a peace-loving feminist and a macho brute.

Bonobos and chimps have a great deal to tell us about how our ancestors may have lived five million years ago, how the first tools were made, and how different ecological circumstances may have enabled different types of social groups to form and to survive. However, if we think of these creatures as nothing more than primitive versions of ourselves, we may never know how and why they behave the way they do.

We may never know in any case. Fieldwork has already been cut back because of the Congo war, and those researchers who venture into the forest are taking considerable risks. There are many precious minerals underground where the bonobos live. Fieldworkers bringing expensive equipment into the forest are often accused of looking for diamonds to steal.

If those who study the bonobo are endangered, so too is the bonobo itself. There are about ten thousand bonobos left in the world, and they could easily be wiped out in five years. Even when the Congo war eventually ends, loggers threaten to clear the bonobos' habitat. In a way, it's a miracle that the bonobos have survived this long.

Helen Epstein has written about medicine and science for the *New York Review of Books*, *Granta*, *New Scientist* and other publications.

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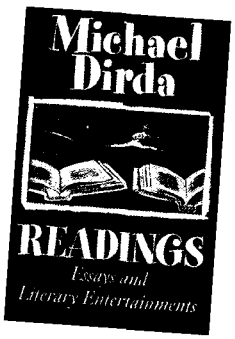

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THE PERFORMANCE OF CULTURE

Today, the interdisciplinary fields of performance studies have become a focal point for attempts to rethink the question of political and aesthetic agency for both individuals and groups. Together with some forms of cultural studies and the ethnography of ritual practice, performance studies have become important to our understanding of social life and the differences of power that mark even everyday relationships. The work has many precursors. From Erving Goffman to Michel de Certeau and Pierre Bourdieu, analyses of the theatricality of everyday life have revealed how differences of power and class are visible in faces, masks, bodies, costumes, and scripts. Such analyses make part of the project of performance studies, which, through explorations of mimesis, alterity and mimicry attempt to bring theatrical practices (playing roles and parody, for example) to bear on social life. Awareness that performance is everywhere has been accompanied by an explosion in theatrical experimentation. The "four walls" of the theater, constructed so recently, have been tumbling down, opened up, or made more permeable to what was once confidently held apart as the "real world". To what extent -- and how -- can theater practices change the understanding and practice of social life?

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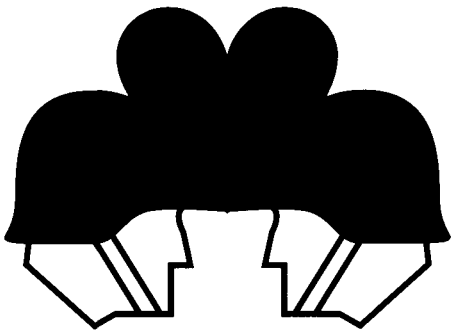
WHAT'S LOVE GOT TO DO WITH IT?

THE REAL STORY OF MILITARY SOCIOLOGY AND "DON'T ASK, DON'T TELL"

BY **NATHANIEL FRANK**



CHARLES MOSKOS IS PROUD OF HIS CONTRIBUTION to the American language: the introduction of the catchphrase "don't ask, don't tell." A professor of military sociology at Northwestern University, Moskos staked his authorship claim in a 1998 radio show when he called himself the "architect" of the 1993 policy, which allows gays to serve in the U.S. military so long as they remain celibate and do not disclose their sexuality. "The phrase and the policy just came to me one night at my house when I was

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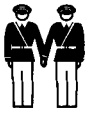
at the watercooler," he writes via e-mail. "Obviously, it was perking around in my subconscious."

Not everyone is sure Moskos deserves the credit. "The idea that Moskos is the mastermind of the policy is not right," says Harvard law professor Janet Halley, author of *Don't: A Reader's Guide to the Military's Anti-gay Policy* (Duke, 1999). "The policy is a patchwork that has been sewn together by many hands." At least a few observers are baffled that Moskos *wants* to claim ownership of a plan that has pleased neither reformers nor conservatives. "I'm surprised anyone would take credit for that policy," says Stephen Saltzberg, a law professor at George Washington University. "There's no difference between taking credit and taking blame."

But Moskos stands by "don't ask, don't tell." And though he is probably not the sole author of the policy, Moskos certainly had a hand in its creation. As a veteran military sociologist who supported the racial integration of the armed forces for decades, he lent "don't ask, don't tell" his academic clout and his reformist credentials at a crucial moment. As it happens, Moskos and the military leadership differ as to why they think the armed forces should ban out-of-the-closet gays. Military leaders maintain that the presence of gays threatens "unit cohesion," which they believe is necessary for an effective fighting force. But Moskos defends the ban on the grounds that in the military's close quarters, openly gay soldiers would violate straight soldiers' right to privacy. In either case, the use of academic expertise to defend the ban raises a question: How does a scholar research something as ineffable as the relationship between sexual orientation and social harmony? Like the army's concern for unit cohesion, Moskos's concern for soldiers' privacy has been challenged as undocumented and theoretically inconsistent. Is military sociology nothing but the continuation of politics by other means?



Certainly politics has had more to do with recent military policy than sociology has. The Carter administration was the first to formalize a Pentagon-wide policy on gay discharges. Following the Iranian seizure of American hostages in 1979, Jimmy Carter sought to strengthen his record on national security by vowing to reinstitute registration for the draft, increase military spending, and get tough on gays. On January 16, 1981, one week before Carter left office, his deputy secretary of defense pushed through a ban on gay soldiers, stating, "Homosexuality is incompatible with military service."

In the 1980s, the issue remained marginal to political debate. Then in 1990, during the Persian Gulf War, Defense Secretary Dick Cheney issued a "stop-loss" order that limited the kinds of discharges the army would allow. According to *The Wall Street Journal*, one handbook informed commanders that after a unit had been put on alert, the army would not authorize any discharges for homosexuality. Gay rights groups charged that soldiers known to be gay were sent to the gulf to fight and then involuntarily discharged upon their return.

Outrage at the injustice propelled the issue into the 1992 presidential election. When Democratic candidate Bill Clinton promised to overturn the military's antigay regulations, Charles Moskos had his brainstorm. He dashed off a memo to his friend Sam Nunn, the socially conservative Democratic chairman of the Senate Armed Forces Committee, outlining a political compromise that would seek to make sexuality a nonissue. After Clinton entered the White House, Moskos sent copies of his memo to Secretary of Defense Les Aspin and, through George Stephanopoulos, to the president himself.

Moskos had the ears of the highest military and civilian decision makers in part because he had spent his career analyzing a problem that many considered similar—racial integration of the armed forces. In his first published article, written in 1957 while he served as a company clerk in Germany, Moskos took a stance that was tolerant and optimistic: "In the final outcome, the experience of the Army's integration program offers to the international audience the true measure of America's world leadership." Moskos went on to receive his Ph.D. in 1963 from UCLA and to write extensively about racial integration during the socially tumultuous era of the Vietnam War and after. He conducted field research in Vietnam, Panama, Saudi Arabia, Somalia, Haiti, and Bosnia, and his scholarship was eventually translated into eighteen languages. He contributed to national policy debates on conscription, recruitment and retention, civilian service, and women in combat (which he opposes). For Moskos, the issue of gays in uniform was a natural.

Once in office, Clinton halted gay discharges while hearings, panels, and studies investigated the issue. In the summer of 1993, Senator Nunn presided over several

CHARLES MOSKOS

days of hearings. On an academic panel, Moskos testified that the requisites of a first-rate fighting force were paramount. "I do not find this as a gay rights issue versus military effectiveness," he told the legislators. "I find two rights in collision, [a conflict] which then has to be adjudicated by military effectiveness."

Despite the appearance of open inquiry at the congressional hearings, at least one panelist had the impression that the policy outcome had already been decided. "I was invited to be on the academic panel," recalls Judith Stiehm, a professor of political science at Florida International University. "When I got to the capital, I found Charles Moskos in consultation with Nunn. It was all rigged. Moskos and Nunn had already found an agreement. The hearings began, and Moskos stood up and said, 'Well, what about the showers? What about the privacy rights of straights?'" When the time came for the academic panel to testify,

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Stiehm remembers, "in walks what looks like a six-foot-nine-inch black general, not an academic at all, and most of the questions were directed at him. So the academic panel wasn't even an academic panel." (The general was Calvin Waller, second in command of army troop deployments during the Persian Gulf War and an outspoken critic of gays in the military.)

WHEN CLINTON PROMISED TO OVERTURN THE BAN, MOSKOS HAD A BRAINSTORM. HE DASHED OFF A MEMO TO SAM NUNN OUTLINING A POLITICAL COMPROMISE DESIGNED TO MAKE SEXUALITY A NONISSUE.

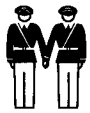
The Pentagon, meanwhile, responded to Clinton's call for investigation of the issue by commissioning two studies. One was conducted by the RAND Corporation's National Defense Research Institute, a federally funded center created at the behest of the air force following World War II. At a cost of $1.3 million, RAND sent dozens of scholars and other professionals around the world to investigate how different groups deal with questions of sexual orientation and socialization. The RAND report concluded that gays could serve openly in the military so long as senior leaders threw their support behind a policy that permitted them to do so. It also suggested that the main obstacle to lifting the ban might be the resistance of the six Joint Chiefs of Staff.

The Pentagon balked. Military brass ordered that the RAND study be kept from the public and refused to discuss it. Instead, Secretary Aspin turned to a panel of generals and admirals known as the Military Working Group (MWG), which released a report on June 8, 1993. The MWG report reiterated the Pentagon's 1981 assertion: "Homosexuality is incompatible with military service." It found that the presence of openly gay soldiers in the military "would have a significantly adverse effect on both unit cohesion and the readiness of the force—the key ingredients of combat effectiveness."

Buttressed by the MWG report, the Pentagon adopted Moskos's "don't ask, don't tell" idea as its official policy on July 19. When Congress passed a more restrictive version in November, the military's regulations on sexuality became, for the first time in American history, a matter of federal law.

According to the policy, officially known today as "don't ask, don't tell, don't pursue, don't harass," sexual orientation is "a personal and private matter," and homosexual identity is therefore not grounds for expulsion unless "manifested by homosexual conduct." Homosexual conduct includes "any bodily contact" between two members of the same sex that "a reasonable person would understand to demonstrate a propensity or intent to engage in homosexual acts." Statements that demonstrate this propensity are also proscribed.

"Don't ask, don't tell" didn't resolve the problem of homosexuality in the military. Rather, it worsened it. In 1994, the first year the law was implemented, the Pentagon booted 617 soldiers for homosexual conduct. In 1998, that annual number rose to 1,145—a 73 percent increase. (Last year it dipped slightly, to 1,034.) According to the Servicemembers Legal Defense Network, an independent watchdog group, reports of antigay harassment have skyrocketed, increasing sevenfold between 1995 and 1999. But since the policy went into effect, the military has held only a handful of people accountable for violating the proscriptions against questioning, pursuing, or harassing soldiers thought to be gay.



How serious was the sociology behind the ban?

Much of the recent research in the field is devoted to quantifying antigay sentiments among men in the armed services. (The more tolerant attitudes of women seem to have had little impact on military policy.) In 1992, Moskos and his research assistant Laura Miller (today a sociology professor at UCLA) interviewed hundreds of soldiers and distributed thousands of surveys, amassing data that Moskos later cited before Congress. In *Gays and Lesbians in the Military: Issues, Concerns, and Contrasts* (Gruyter, 1994), the team revealed that 75 percent of male soldiers surveyed opposed lifting the ban. In 1993, a *Los Angeles Times* survey and an air force telephone survey reported similar findings—76 percent and 67 percent, respectively. During this period, the House Republican Research Committee conducted confidential surveys of all active-duty officers in the armed forces. Of more than six hundred admirals and generals who responded, a whopping 97 percent supported the ban.

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These are impressive numbers. But if the ban were lifted, what impact would it actually have on discipline, morale, and unit cohesion? And what is the relationship between these elusive qualities and actual combat performance? Here the picture gets murkier.

Indeed, these kinds of questions have bedeviled military sociology since its inception. In 1948, the University of Chicago's Edward Shils and Morris Janowitz launched the field with a pioneering study titled "Cohesion and Disintegration in the Wehrmacht in World War II." Shils and Janowitz argued that camaraderie and leadership, not ideology, motivated the German soldier. The study drew on Sigmund Freud's model of group bonding, according to which individuals form emotional ties with their peers through joint idealization of a leader. The relationship to the leader that the troops share develops into comradeship, instilling feelings of mutuality, self-sacrifice, and ultimately a willingness to die for the group. Similar studies of American soldiers in World War II—*Men Against Fire* (1947) by Samuel Marshall and *The American Soldier* (1949) by Samuel Stouffer and seven co-authors—also stressed the importance of primary-group cohesion.

A generation later, America's unhappy involvement in Vietnam spawned new inquiries into combat motivation. But a 1976 article in *Armed Forces and Society* by political science professors Richard Gabriel and Paul Savage echoed the Shils and Janowitz study: "The cement of the German army," they wrote, "was the sense of the soldier as belonging" to a tight group with a dedicated leader. And in *Cohesion: The Human Element in Combat* (National Defense University Press, 1985), William Darryl Henderson, a retired colonel who taught military psychology at West Point, insisted that although new technologies had changed the nature of warfare, group loyalty was still the only force strong enough to compel individuals to risk death.

By the time of the 1993 congressional hearings on gays in the military, unit cohesion had been widely accepted as the essence of a fighting force. But despite the consensus that soldiers cared deeply about group ties, no study had ever shown empirically that more cohesive units actually performed better in combat. In fact, cracks in the cohesion orthodoxy had begun to appear.

In 1989, Robin Williams, one of the co-authors of *The American Soldier,* reassessed that pioneering study of combat motivation. Williams pointed out that high casualty rates during World War II precluded intense bonding. Unit cohesion would have been difficult if not impossible to sustain when there was so much turnover in personnel. The same year, military historian Omer Bartov argued that primary-group cohesion could not explain the Wehrmacht's fighting spirit, because long-standing close-knit Wehrmacht groups had not existed: German soldiers continued to fight despite staggering losses, which ranged from 98 to 194 percent (that is, between one and two complete turnovers in manpower) in the first fourteen months of combat. In *Hitler's Army: Soldiers, Nazis, and War in the Third Reich* (Oxford, 1991), Bartov explained that Wehrmacht soldiers actually fought better during periods of the heaviest fatalities, "in spite of the fact that this supposedly crucial element of *esprit de corps* had been substantially weakened."

So does unit cohesion matter or not? Looking for a way to reconcile the contradictory evidence, a group of psychologists in the 1980s distinguished two kinds of cohesion. "Social cohesion" refers to bonds of friendship and affinity among group members. When individuals feel emotional ties of loyalty and companionship, they form a socially cohesive group. "Task cohesion," by contrast, refers to the group solidarity that results from dedication to achieving a common goal. Employees of a legal firm or workers on an assembly line may have no desire to socialize together after work, but their shared devotion to winning a case or building a car may nonetheless unite them. As I.L. Janis explained in his 1983 study, *Groupthink: Psychological Studies of Policy Decisions and Fiascoes,* this "duality of cohesiveness may explain some of the inconsistencies in research results on group effectiveness."

In a 1988 *Psychiatry* article titled "Wartime Losses and Social Bonding," Glen Elder and Elizabeth Clipp made a similar distinction between friendship and comradeship. Whereas friendship stresses the emotional needs of individuals, comradeship develops by subordinating individual needs to those of the group. Elder and Clipp explain that even though the shared experience of battle may lead to emotional intimacy, soldiers in combat often maintain a rule of "Don't get too close." The question is how to keep comradeship from becoming friendship—how to handle "a burden of love that couldn't flourish," as one American bomber pilot poignantly described it.

By almost all accounts, the positive correlation between unit cohesion and military performance is due to task cohesion, not social cohesion. In 1993, in the most complete meta-analysis to date, Syracuse University's Brian Mullen and Carolyn Copper found that after they factored out

WORLD WAR II–ERA AMERICAN SOLDIERS

RUSSELL BUSH COLLECTION (2)

task cohesion, there was no correlation between social cohesion and performance. In 1993, UC-Berkeley social psychologist Robert J. MacCoun reviewed fifty years of research in 185 publications and concluded that "it is task cohesion, not social cohesion or group pride, that drives group performance."

In fact, high levels of social cohesion might even *impair* performance. Intense emotional bonds can interfere with discipline, unit morale, and combat readiness—

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if they take on the dynamic of a clique—a dynamic that invites what Elizabeth Kier, professor of political science at the University of Washington, calls "collective acts of indiscipline." As the sociologist John Faris pointed out in a 1977 article in *Armed Forces and Society*, primary-group ties can encourage dissent instead of loyalty. Strongly cohesive military subcultures have been associated with drug use, antiwar sentiment, desertion, fragging (the killing or maiming of a unit leader), and racial and sexual harassment.

Even the military's favored researchers have had doubts about social cohesion. Shils and Janowitz remarked on what one scholar later dubbed the "dark side of cohesion." In 1975, Moskos himself pointed out the dangers of strong social ties in an article titled "The American Combat Soldier in Vietnam," which appeared in the *Journal of Social Issues*: "It is an irony of sorts that the primary group processes that appeared to sustain combat soldiers in World War II are close cousins to the social processes which underlay the vast bulk of fraggings in Vietnam." A 1985 RAND report warned against "too much affective cohesion," explaining that performance suffers when "members become concerned with supporting each other and raising group morale instead of concentrating on the task at hand." And a 1987 report by the Walter Reed Army Institute of Research deemed unit cohesion "a byproduct, not a core goal leaders need be trained to create and maintain."

In the topsy-turvy world of military sociology, some advocates of the ban fear that a troop with openly gay soldiers will fall apart, while others fear that it will hold together too tightly.

Between World War II and the 1980s, the army tried several versions of a "buddy system," in which soldiers trained together and then went into combat together. As Stephen P. Rosen, director of Harvard's Olin Institute for Strategic Studies, explains, over the years military researchers came to take a more cautious view of intimate bonding. In combat, if one of a pair of soldiers who had trained together was hurt, "the other wanted to stay back and take care of his buddy, instead of moving on like he was directed." Sexual love, warns Rosen, could be even more dangerous to a fighting force, as it "is one of the strongest forms of connection we know about." If soldiers were to fall in love, "and then see their lovers dying violently in front of them in combat, they would have an enormously strong emotional response to grieve, to become angry, to behave emotionally."

SOME FEAR THAT A TROOP WITH OPENLY GAY SOLDIERS WILL FALL APART. OTHERS FEAR IT WILL HOLD TOGETHER TOO TIGHTLY.

Remarkably, a little-discussed section of Shils and Janowitz's famous study on Wehrmacht soldiers explored the homoerotics of military culture. University of Maryland sociologist David Segal reported on the passage in his 1993 congressional testimony. Though Segal had studied under both Shils and Janowitz, he had not paid much attention to the passage until recently. "I discovered it by accident," Segal said, "while I was grading some midterm exams."

According to Shils and Janowitz, although the Nazi army did not sanction sex between men, homoerotic attachments seem to have been quite common. As Segal puts it, "There was a hard core of enlisted personnel in the Wehrmacht who were attracted to the company of other men." And these feelings may have produced greater unit cohesion. The key to successful fighting units, Shils and Janowitz implied, is that homoerotic affection should be present but sexual activity should be repressed. (In an odd footnote to the story, in Saul Bellow's recent novel *Ravelstein*, the title character insinuates that a barely fictionalized Edward Shils is a closeted homosexual.)

In his own testimony before Congress, Moskos addressed the Shils-Janowitz take on homosexuality in the Nazi army: "Precisely because there are homoerotic tendencies in all male groups, this is exactly why the ban. Once these homoerotic tendencies are out, the cat is out of the bag, then you have all kinds of negative effects on unit cohesion." According to Moskos, "The point is that in the Nazi army, you could not be a gay."

Whereas Rosen is worried that lifting the ban would place distraught lovers in combat, Moskos appears to be concerned about a social effect that would be less dramatic but perhaps just as disruptive: He fears that the presence of known gays in the barracks might burden with undue significance the low-level homoerotic behavior that is the military norm. In 1948, the psychiatrist William Menninger noted that friendship between soldiers during wartime seemed to involve "disguised and sublimated homosexuality." Other scholars have suggested that popular war songs such as "My Buddy" ("I miss your voice and the touch of your hand, my buddy") helped neutralize fears of unexpected longings, making the military a safe place for same-sex intimacy.

"In a heterosexual environment, you can do a lot of patting people on the ass, hugging, and all that, which might not be possible among open gays," Moskos explains. In many Mediterranean and Middle Eastern cultures, which are homophobic by American standards, men stroll

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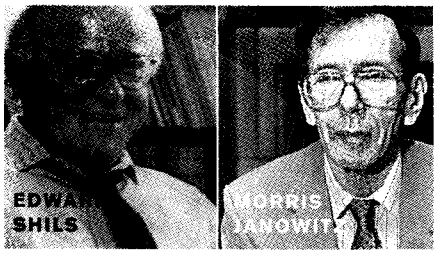

SHILS AND JANOWITZ LAUNCHED THE FIELD OF MILITARY SOCIOLOGY BY ARGUING THAT CAMARADERIE, NOT IDEOLOGY, MOTIVATED THE GERMAN SOLDIER.

down the street kissing and holding hands without fear that their affection has a sexual meaning. "It might even be that the more homoerotic tendencies there are in a group," says Moskos, "the more homophobic it will be." Must the military ensure that certain emotions are kept at bay? It must ensure, responds Moskos, that they "remain subdued."

As if tacitly acknowledging the difficulties in the unit-cohesion argument, Moskos prefers to take another tack entirely. "Fuck unit cohesion," he says. "I don't care about that." The distinction between social and task cohesion strikes him as hairsplitting. "To me it's all psychobabble. 'We're going to take this hill even though we all hate each other'? I can't conceive of achieving a task when you all hate each other."

Rather, for Moskos, the ban on openly gay soldiers is a matter of "modesty rights for straights." Invoking the analogy of sex integration, Moskos likens the toleration of openly gay soldiers in combat units to allowing straight men into an all-female unit: "What if you put three heterosexual men into a unit of a hundred women and say to them, 'By the way, if you misbehave, we're going to do something'?... Would somebody want that or not?" For Moskos, the right not to be looked at by sexually desirous eyes is "natural law"—a moral concern. "I don't care about what the law says," he concedes. "I'm just against that [requiring straights to live with gays]. I should not be forced to shower with a woman. I shouldn't be forced to shower with an open gay." Moskos feels so strongly about the privacy issue that he views mandatory gay-straight cohabitation as inhumane: "I would not want to fight for a country in which privacy issues are so trampled upon," he says. "Those are the conditions of concentration camps."

But Moskos's analogy between the integration of men and women and the integration of gays and straights is far from perfect. In American culture, gay men rarely approach straights in the sexually aggressive manner that some straight men approach women. Lois Shawver, who teaches psychotherapy at the California School of Professional Psychology, has studied this phenomenon. Shawver served as an expert witness in Canada's review

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of its ban on gays in the military, a ban that was abolished in October 1992. She believes that gays in North America have learned an "etiquette of disregard": They have learned to ignore situations that might arouse sexual desire when that desire would be socially inappropriate. In a 1996 essay that appeared in the collection *Out in Force: Sexual Orientation and the Military* (Chicago), Shawver argued that the privacy rationale is flawed because it mistakenly assumes that nakedness is inevitably erotic. In fact, she claimed, arousal depends on social context and cultural expectations. In scenarios that involve nakedness but are clearly not erotic, such as the doctor's office or a men's public bathroom, "what is potentially erotic or embarrassing is simply ignored." Shawver believes that because gays and lesbians grow up sharing bathrooms and locker rooms with same-sex peers, by adulthood they have become "adept at conforming to an etiquette of disregard."

Disclosure of sexuality, say critics of the ban, is unlikely to create significant problems. "Basically," says David Segal, "the problem is abuse of authority. And authority has been abused for as long as there have been differentials in authority." Segal believes that the ability of men and women, including gays and lesbians, "to suppress their libidos is very much underrated by people concerned about putting them in the same room together." Segal even thinks that men and women could be stationed together on submarines without serious problems. "I have seen men and women bond together," he says. "I don't think that bonding is gender-specific."

"This is a false issue," says Elizabeth Kier when asked about the fear of open gays as sexual predators, "because the military has shown that it is quite able to control behavior, at least until this issue came along." Lawrence Korb, a sociologist and the director of studies at the Council on Foreign Relations, seconds the notion: "The answer is behavior. One of the good things about the military is that people follow orders and they know what they can do and what they can't."

Korb has an especially telling relationship to the ban on gays. As assistant secretary of defense under Ronald Reagan, he was responsible for implementing the Carter administration directive that deemed homosexuality "incompatible with military service." Appalled that the policy led to "an unprecedented era of witch hunts," Korb reversed his position several years later. He crisscrossed the country to denounce the ban and testified against it in Congress in 1993. "I had to do something about it or I could not call myself a social scientist," Korb explained in a 1994 essay. He accused the Pentagon of ignoring and suppressing unwanted evidence, such as a 1988 study by its own Defense Personnel Security Research and Education Center. "Empirical evidence or systematic research and analysis has very little impact on such controversial and emotional issues as gays in the military," wrote Korb.

ASSOCIATED PRESS/DEPARTMENT OF DEFENSE POOL

NO STUDY HAS SHOWN EMPIRICALLY THAT MORE COHESIVE UNITS PERFORM BETTER IN COMBAT. IN FACT, CRACKS IN THE COHESION ORTHODOXY HAVE BEGUN TO APPEAR.

It's a criticism echoed by other opponents of the ban. "When you look at the evidence they use and start to scrutinize it," says Aaron Belkin, director of the Center for the Study of Sexual Minorities in the Military and professor of political science at the University of California at Santa Barbara, "you realize it's not evidence."

What Moskos cites as data may be a case in point. In his congressional testimony, he announced that the social scientific community had "empirical data" showing that sex integration had "degrade[d] military performance" during the Gulf War. What were his data? "According to a Roper poll taken in Desert Shield," he testified, "45 percent of those who served in mixed-gender units in the Gulf said that there was enough sexual activity to degrade military performance. That is a very high number."

"A Roper poll? An opinion poll?" asks Judith Stiehm incredulously when presented with Moskos's data. Opinion polls, she points out, "are only opinions." To

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have empirical evidence on cohesion, "you have to measure cohesion. When they constructed studies to systematically measure this, they kept getting studies which found no correlation, and so they stopped doing the studies."

Indeed, most empirical evidence suggests that gays' serving openly does not impair military effectiveness. A year 2000 study led by Belkin found that Canada's decision to lift the ban on gays in 1992 had had no negative impact on Canada's military performance. Moreover, the number of women who experienced sexual harassment dropped by 46 percent after the ban was lifted. (Ending the ban may have discouraged potential harassers by making it easier for women to report harassment without fear of provoking retaliatory charges of lesbianism.) Before Canada's ban was lifted, surveys had indicated that 62 percent of Canadian soldiers would refuse to live, work, and fight alongside openly gay troops. But not a single resignation has been attributed to the ban's end.

Another study by Belkin's research team, released this summer, assessed the situation in the Israel Defense Forces, which has allowed gay soldiers to serve openly since 1993. Though few Israeli soldiers publicly identify themselves as gay, the study concluded that Israel's armed forces, like Canada's, had not suffered since the official admission of gay troops.

Moskos, however, questions the relevance and credibility of such studies. He notes that the situation of the U.S. military is different from that of any other country: America has the most formidable fighting force in the world, with unique responsibilities and a unique culture. On a recent trip to Israel, Moskos says, he was informed that, contrary to Belkin's findings, there were no openly gay soldiers in combat units. And the case of Canada, he says, "is ambiguous. I hear conflicting stories about gays in the combat arms."

"The military establishment," wrote a budding sociologist in 1966, "has means of coercion not readily available in most civilian pursuits. Violations of norms are both more visible and subject to quicker sanctions. The military is premised, moreover, on the accountability of its members for effective performance. Owing to the aptly termed 'chain of command,' failures in policy implementation can be pinpointed." Thanks to this ability to enforce change, the racial integration of the military succeeded despite widespread prejudice. "Desegregation," the writer explained, "was facilitated by the pervasiveness in the military of a bureaucratic ethos, with its concomitant formality and high social distance, that mitigated tensions arising from individual or personal feelings." He concluded that "whatever the internal policy decided upon, racial integration being a paramount but only one example, the military establishment is uniquely suited to realize its implementation."

The sociologist who wrote this was Charles Moskos. A generation later, the military's unique capacity to implement whatever personnel policy it chooses has become far less clear in Moskos's eyes. In a 1993 essay, "From Citizens' Army to Social Laboratory," Moskos rejected any resemblance between the issues of race and

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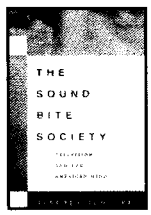

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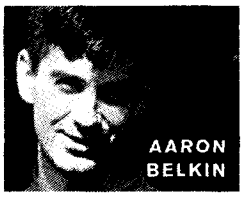

BELKIN'S RESEARCH TEAM FOUND THAT NEITHER CANADA'S NOR ISRAEL'S ARMED FORCES HAVE SUFFERED SINCE THEY WELCOMED GAY TROOPS.

sexual orientation. Testifying before Congress, he suggested that comparing racial segregation with the ban on openly gay soldiers "trivializes the black experience. The black struggle, an enslaved people, is quite different, I think, from the gay/lesbian analogy."

While some of Moskos's peers have grown suspicious of his intellectual contributions, others have seen fit to recognize his role as a scholar working in the public eye. In 1997, the American Sociological Association (ASA) created an award to recognize sociology's public intellectuals. The inaugural Award for Public Understanding of Sociology was conferred on Charles Moskos for his contributions to military policy.

The award provoked a small outcry among his colleagues. The Committee on the Status of Gay, Lesbian, Bisexual, and Transgendered Sociologists, the Sociologists' Lesbian, Gay, Transgendered Caucus, and the Council of the Sexuality Section were outraged. In the November issue of the ASA's newsletter, *Footnotes*, a letter signed by all three organizations criticized the ASA's decision to honor a scholar who came to public attention "because of his polemical insistence on the inappropriateness of lesbians and gay men serving in the military." The letter suggested that the award was "based on media-driven politics rather than a contribution of scholarship." It accused Moskos of ignoring the most significant research on military readiness, of relying on "a survey of a convenient sample of soldiers" as his data set, and of designing a policy that "institutionalizes the closet."

When the award was announced at the ASA convention, protesters stood and turned their backs. Moskos seemed puzzled. "He didn't really get what the fuss was about," remembers Melissa Embser-Herbert, an openly lesbian sociology professor turned assistant dean at Hamline University in Minnesota. (A former captain in the U.S. Army Reserve, Embser-Herbert resigned her commission in July.) "People thought that since this was the first year the award was given, it was really a low point for sociology to be recognizing someone whose work had hurt so many people," she says.

Aaron Belkin feels Moskos has abused his academic credentials. "It's an incredibly insidious role that Moskos has played in the policy process," Belkin complains. "He has used his academic credentials to pretend that the policy is based on academic evidence when in fact it's based on homophobia."

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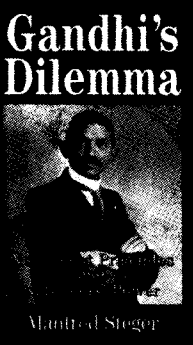

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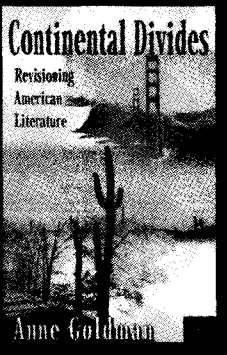

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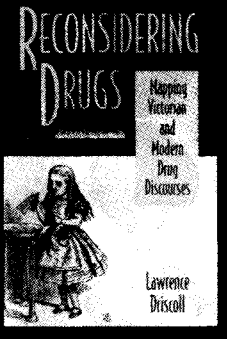

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On July 5, 1999, at a military base at Fort Campbell, Kentucky, Private Calvin Glover took a baseball bat to the cot of Private First Class Barry Winchell and bludgeoned him to death as he slept. According to testimony given in military court, a drunken Glover, suspecting that Winchell was gay, had goaded Winchell into a fistfight. The gay soldier won the fight. A friend then warned Glover that his fellow soldiers would mock him for having "his ass kicked by a faggot." After the same friend handed him the murder weapon, Glover took revenge. When Winchell's corpse was found, his skull had been cracked open and his face had been beaten beyond recognition. Last December, Glover was convicted of premeditated murder and sentenced to life in prison with the possibility of parole.

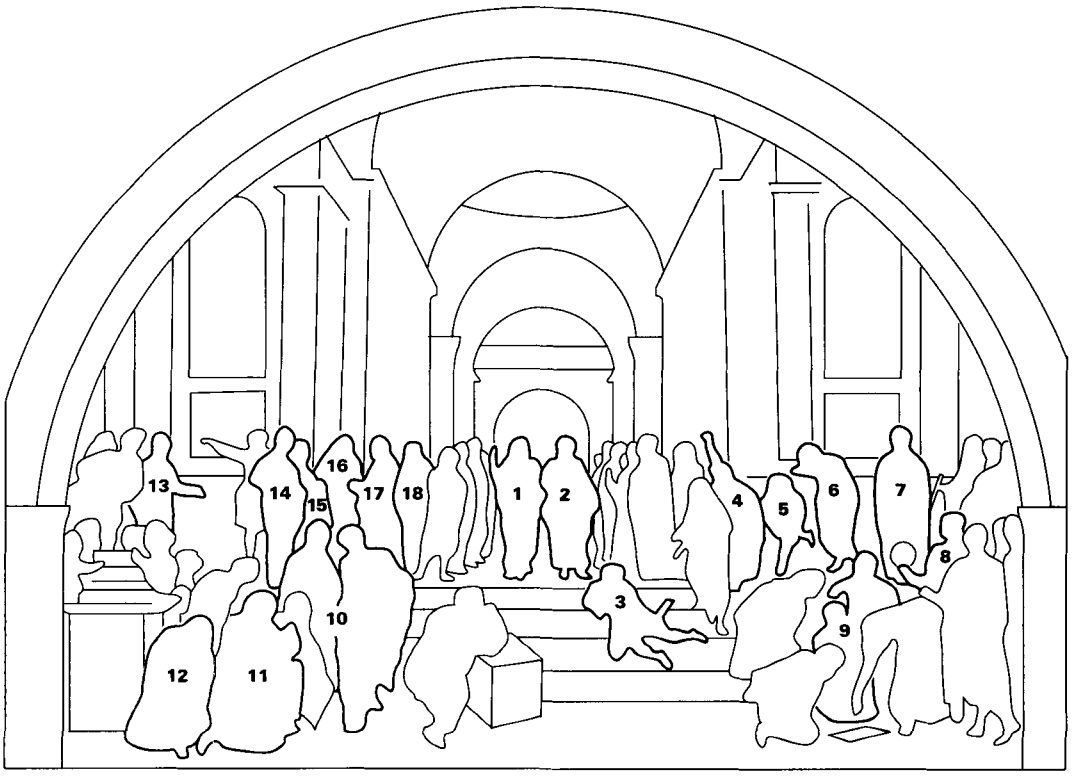
President Clinton responded to the incident by calling the "don't ask, don't tell" policy "out of whack." But according to David Stockwell, a spokesman for the National Security Council, the administration continues to stand behind the policy. Al Gore called for a repeal of the ban in December only to soften his position later on. According to a campaign spokesperson, Gore now says he would like to see the policy become "more compassionate." George W. Bush has stated that he supports the current policy and has no plans to reexamine it. However, his party's platform states that Republicans "affirm traditional military culture" and dusts off the 1981 mantra: "We affirm that homosexuality is incompatible with military service."

In the wake of Glover's conviction, Secretary of Defense William S. Cohen ordered the inspector general to conduct a thorough investigation into antigay harassment. The inspector general's report, released in March 2000, surveyed more than seventy thousand soldiers. It found that 80 percent had heard antigay slurs spoken on bases and aboard ships and 37 percent had witnessed or been the target of antigay harassment. In late July, Secretary Cohen approved an "Anti-Harassment Action Plan" and vowed to hold commanders accountable for failures to enforce "don't ask, don't tell."

"I think," says Moskos of the ban on gays, "that it's going to end." He gives it five to ten years. Dramatic instances of antigay violence, alarming discharge statistics, an increasingly powerful gay voting block, and growing acceptance of homosexuality have led to calls by more and more politicians to scrap or amend "don't ask, don't tell."

Of course, if the ban is lifted it will probably not be the result of any radical enlightenment about the nature of intimate bonding, in the military or elsewhere. But then "don't ask, don't tell" was not exactly premised on solid sociological insight to begin with. As Moskos himself acknowledged in a *Washington Post* Op-Ed, to condone "discreet homosexuality" while officially banning it "is to set oneself up for the charge of hypocrisy." No doubt this hypocrisy will be dismantled in the same spirit of political pragmatism in which it was devised.

Nathaniel Frank, a doctoral candidate in history at Brown University, teaches humanities at New York University and New School University.



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Boston, MA: October 6–7, 2000

GENDER/ ART/ COMMERCE

The 2000 Barnard Feminist Art and Art History Conference will address all aspects of gender in relation to painting, film, architecture, performance, advertising, and other forms of visual culture. In addition, thematic sessions and a closing keynote panel will focus on intersections of gender, art and commerce. One hundred fifty scholars and artists from across the country and around the world will speak at the 2-day event, to be held on the campus of Barnard College (Broadway and 117th St.) in Manhattan. Fees: $20; $10 students and independent scholars. For schedule information:, Web: http://www.barnard.edu/wmstud/projects/faahc.html; E-mail <barnard-conference@hotmail.com>.

New York, NY: October 28–29, 2000

ART, BODY, MIND: AN INTEGRATION

The College of Fine Arts at Ohio University presents an exploration of art as a process—rather than product—which springs naturally from our bodies and our minds. Invited artists and scholars: Lewis Hyde, Ellen Dissanayake, Nancy Aiken, Brian Hanson, Joseph Carroll, Carol-Lynne Moore, with Power Boothe as moderator. It is in the belief that the arts are an essential aspect of our embodied human existence that we come together to explore the wide-ranging implications of this approach to art. Mark Johnson, author of *Body in the Mind* and co-author of *Philosophy in the Flesh,* will deliver the keynote address. Registration information: Janis Carnahan, T: (740) 593-1764; E-mail: <carnahan@ohio.edu>; Web: www.ohio.edu/continuinged/conferences. Program information: Roxanne Dicken, T: (740) 593-4288; E-mail: <dicken@ohio.edu>.

Athens, OH: November 2–5, 2000

THE SECOND NUCLEAR AGE AND THE ACADEMY

Announcing "The Second Nuclear Age and the Academy," to be held by the Center on Violence and Human Survival at the CUNY Graduate Center, Fifth Avenue at 34th Street. Co-Sponsored by the Graduate Center, CUNY, and The Nation Institute, the goal of this conference is to break through the psychic numbing regarding nuclear threat that grips America and to energize the general public, as well as policymakers, to find creative solutions to American and international security. We seek to reach out to the academy as a means of changing civil society and sparking a new student movement. Participants include authorities on issues of nuclear weapons, such as Robert Jay Lifton, Jonathan Schell, Randall Forsberg, Rolf Ekeus, Richard Falk, Frances Fitzgerald, and Theodore Postol. These participants will engage in a dialogue with scholars from other fields interested in political, social, ethical, and legal issues, such as Peter Singer, David Tracy, and others. In workshops, activists and younger faculty will discuss the issues of the conference and look toward social change. Contact Charles B. Strozier, T: (212) 237-8432.

New York, NY: November 17–18, 2000

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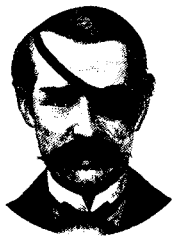
WHAT HAVE I DONE TO DESERVE THIS?

EXPLAINING RETRIBUTION

IN THE UNITED STATES, nearly two million people are kept in prison at any given time, and dozens are executed each year. That adds up to quite a lot of suffering deliberately inflicted by the state. How can we justify it?

Well, one way is by arguing that such punishment has good consequences: It deters potential criminals, it quarantines actual criminals from society, and—on rare occasions—it leads to the offender's rehabilitation. This is the utilitarian rationale for punishment. A quite different way is by insisting that a person who culpably does harm *deserves* to be made to suffer and that's all there is to it. This is the rationale for punishment put forward by believers in retributive justice.

The idea of retributive justice may seem a little *retardataire* these days, a little morally backward. We associate it with the vengeful God of the Old Testament, whereas the utilitarian conception of punishment comes out of the enlightened eighteenth-century reformism of Jeremy Bentham. The retributionist's crude calculus for determining the severity of punishment—"an eye for an eye"—compares poorly with the utilitarian's dispassionate weighing of empirical probabilities in his effort to maximize deterrence and minimize total suffering. The retributive notion of guilt appears increasingly quaint as modern science discovers the springs of criminality in genes and brain chemistry. Finally, retribution tends to be lustily invoked by those backward types who favor the death penalty; they argue that the murderer's punishment must fit his crime whether or not that punishment provably deters other murderers.



Still, even the most morally progressive among us are not wholly free from retributive instincts. In an article in *The Journal of Philosophy* titled "An Explanation of Retribution," Andrew Oldenquist of Ohio State writes: "The pursuit of Adolf Eichmann, Josef Mengele, and other Nazis in their dotage, tending their rose gardens in South America, makes no utilitarian sense whatever. They will not do their crimes again, nor would their punishment deter others." Yet in our most reflective moments, we still feel they deserve punishment.

This notion can find prominent backers in the philosophical tradition. Immanuel Kant not only maintained that the suffering imposed on the guilty is good in itself; he opted for a Taliban-like schedule of penalties in which the nature of the punishment would be determined exclusively by the crime. For example, slanderers would kiss the hand of their victim, rapists would be castrated, murderers hanged, and so forth. Hegel's advocacy of retributive justice had a more abstract, dialectical flavor: A crime is a negation of the moral order, he claimed, so punishment is required to negate the negation and thus reaffirm the right.

Some contemporary philosophers have advanced arguments for retributive punishment that have a suspiciously consequentialist ring to them. Robert Nozick, for example, has tried to justify retribution by its effect on the criminal: Since values by themselves have no causal power, he submits, punishment is necessary to "reconnect" the wrongdoer to the moral norms of the community.

Oldenquist dissents from Nozick's slightly starry-eyed view, arguing that "a moral community exacts retribution for its own good and not primarily to inform, connect, cure, use, or send any kind of message to the criminal." Oldenquist's case for retributive justice turns on what he sees as a social need for it: Humans can flourish and achieve their full humanity only in a society whose members hold one another morally accountable and hence deserving of blame and punishment for harms committed—"the essence of retribution." To deal with the objection that retribution stems from a barbarous desire to "get even," Oldenquist lays down conditions under which vengeance becomes "sanitized" into a form of justice: The punishment must be predictable; it must be decided after due deliberation and not in the heat of passion; it must be applied by officials who are not friends or relatives of the harmed party; and so on.

But even if we accept that punishment on retributive grounds is (1) socially necessary and (2) not a mere urge for revenge, we still have not established the truth of the claim "Some people deserve to be punished." Oldenquist admits as much, conceding that retributive judgments may have to be justified independently of their truth or falsity; indeed, we should regard them as part of a social ritual akin to marriage or bear dances. A mistaken retributive judgment would thus, he says, be akin to "doing the bear dance incorrectly."

If the retributive case for punishment is philosophically shaky, the utilitarian case has grave defects of its own. Deterrence would seem to sanction the punishment of innocent persons as long as they were widely believed to be guilty, not to mention the punishment of wives and children of criminals who are difficult to apprehend, such as terrorists. Even the benign idea of quarantining criminals for social protection and rehabilitation—championed by Clarence Darrow, who opposed punishment per se on the grounds that humans never really act freely and hence cannot be held accountable for their actions—can lead to unwelcome consequences. Why not quarantine and "treat" likely criminals *before* they commit their crimes?

Happily, there is at least one proposition about punishment that everyone seems to agree on these days, regardless of his or her philosophical orientation. It is that torture—the deliberate infliction of physical pain—is not a morally permissible way of punishing a wrongdoer. Unless, curiously, that wrongdoer is a child in need of a spanking.

JIM HOLT

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